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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION
CHARLENE CARTER,)
Plaintiff,)
)
vs.) Case No.
) 3:17-cv-02278-X
SOUTHWEST AIRLINES CO., AND)
TRANSPORT WORKERS UNION OF)
AMERICA, LOCAL 556,)
Defendants.)

ORAL VIDEOTAPED DEPOSITION
ED SCHNEIDER
November 3, 2020
(Reported Remotely)
+++CONFIDENTIAL+++

ORAL VIDEOTAPED DEPOSITION OF ED SCHNEIDER,
produced as a witness at the instance of the
Plaintiff and duly sworn, was taken in the
above-styled and numbered cause on November 3, 2020,
from 10:00 a.m. to 2:55 p.m., before Cheryl Duncan,
CSR in and for the State of Texas, reported by
computerized stenotype machine in Parker, Colorado,
pursuant to the Federal Rules of Civil Procedure, the
First Emergency Order regarding the COVID-19 State of
Disaster, and the provisions stated on the record or
attached hereto.

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39
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45

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1 PROCEEDINGS
2 THE VIDEOGRAPHER: We are now on
3 record. Today's date is November 3rd, 2020. The
4 time is 10:00 a.m. central.
5 Will the court reporter please swear
6 in the witness.
7 ED SCHNEIDER,
8 having been first duly sworn, testified as follows:
9 EXAMINATION
10 Q. (BY MR. GILLIAM) Good morning,
11 Mr. Schneider.
12 A. Good morning.
13 Q. My name is Matt Gilliam, and I represent
14 plaintiff Charlene Carter in this case. And I'm here
15 today to ask you questions about the case, Carter V
16 Southwest Airlines Company and Transport Workers
17 Union of America, Local 556. If at any point you
18 need a break, just let me know. I assume you've been
19 deposed before.
20 A. I have not.
21 Q. You have not been deposed, okay.
22 So when I ask you questions, if you
23 could, just answer them to the best of your ability.
24 Since the reporter is preparing a written transcript,
25 it's important to give clear verbal messages, no head

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1 nods, no gestures, no "uh-huhs" and "huh-uhs."
2 Similarly, we have to make sure that
3 we don't talk over each other. So I'll do my best to
4 try not to talk over you, let you finish your, your
5 answer before I ask another question. Similarly, if
6 you could make sure that I finish my question before,
7 before you answer. That way, we can keep the record
8 clear.

9 Have you read the complaint in this
10 case?

11 **A. I am aware of it, yes.**

12 Q. Okay. Are you familiar with the claims
13 that Ms. Carter's made against TWU Local 556 and
14 Southwest Airlines?

15 **A. Yes.**

16 Q. Okay. And you, you work at Southwest; is
17 that correct?

18 **A. Yes.**

19 Q. And what is your current position at
20 Southwest Airlines?

21 **A. I'm the inflight base manager for the**
22 **Denver base.**

23 Q. Okay. And how long have you been in that
24 position?

25 **A. Three and a half years.**

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1 Q. Okay. And you were Denver base manager
2 when Charlene was terminated?

3 **A. Yes.**

4 Q. Okay. And how long had you been in that
5 position when, when Charlene was terminated?

6 **A. About eleven months.**

7 Q. Okay. So did you, did you become Denver
8 base manager in 2016?

9 **A. 2017, January.**

10 Q. January of 2017, okay.

11 And what, what were you doing before
12 you became Denver base manager with Southwest?

13 **A. I was the assistant base manager in**
14 **Phoenix, Arizona.**

15 Q. Okay. And who did you report to there in
16 Phoenix as assistant base manager?

17 **A. Deborah Edwards, the base manager.**

18 Q. Okay. When you worked in Phoenix, did you
19 have the opportunity to work with Suzanne Stephensen?

20 **A. She is the base manager in Las Vegas. And I**
21 **had a working relationship with her, but nothing**
22 **close, because they are two separate basis.**

23 Q. Okay. Did you know her while you were
24 working at Phoenix?

25 **A. Yes.**

Page 7

1 Q. Okay. Was Suzanne Stephensen also working
2 at Phoenix?

3 **A. No.**

4 Q. Okay. All right. And have you ever worked
5 as a flight attendant with Southwest Airlines?

6 **A. Yes.**

7 Q. Okay. How long did you work as a flight
8 attendant?

9 **A. Eight and a half years.**

10 Q. Okay. And that was all with Southwest?

11 **A. Yes.**

12 Q. Okay. Were you a member of the union while
13 you were a flight attendant?

14 **A. Yes.**

15 Q. Okay. How long were you a union member?

16 **A. For the eight and half years I was a flight**
17 **attendant.**

18 Q. Okay. And when I say "union," you
19 understand I'm referring to TWU Local 556? Or if I
20 refer to "556," I'm referring to the Transport
21 Workers Union of America, Local 556?

22 **A. Yes.**

23 Q. Okay. Did you ever hold an elected office
24 with the union?

25 **A. No.**

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1 Q. Okay. Now, in your current position as
2 base manager in Denver, what are your
3 responsibilities?

4 **A. I oversee the operation of the inflight**
5 **base, which is the flight attendants of Southwest**
6 **Airlines that are based in Denver. I make sure that**
7 **the daily operations are taken care of,**
8 **investigations, any type of awards or recognition for**
9 **our flight attendants. I have a staff of 16 that**
10 **works for me, including coordinators and supervisors**
11 **and assistant base managers, and I oversee their**
12 **duties also.**

13 Q. Okay. How many flight attendants do you
14 oversee?

15 **A. Currently 1,926.**

16 Q. Okay. And has that changed since 2017?

17 **A. Yes.**

18 Q. Okay. About how many did you oversee in
19 2017?

20 **A. Roughly 1,650.**

21 Q. Okay. All right. And who, who is your
22 supervisor?

23 **A. My immediate leader is Dave Kissman.**

24 Q. Okay. Do you, do you report solely to Dave
25 Kissman?

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1 **A. He's the next in the chain of command, yes.**

2 Q. Okay. Do you also report to Mike Sims?

3 **A. Not any longer.**

4 Q. Okay. Did you report to Mike Sims in 2017?

5 **A. He was Dave Kissman's director, boss, yes.**

6 Q. Okay. And did, did you ever report to
7 their supervisors?

8 **A. I don't understand.**

9 Q. So did, did you report -- well, let's see.

10 Who, who was Dave Kissman's supervisor?

11 **A. Dave Kissman's boss was Mike Sims. It is
12 now Steve Murtoff.**

13 Q. Okay. And in 2017, who was Mike Sims'
14 supervisor?

15 **A. He reported to Sonya Lacore, our VP of
16 inflight.**

17 Q. Okay. Did you ever take issues to Sonya
18 Lacore?

19 **A. No, we followed the chain of command.**

20 Q. Okay. And were you Charlene Carter's
21 direct supervisor?

22 **A. I was the base manager for the Denver base,
23 and she reported to the Denver base.**

24 Q. Okay. If she had any issues to take to
25 who -- to her supervisor, who would she take those

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1 they would need.

2 Q. Okay. When you say they take care of the
3 front lounge, what do you mean?

4 **A. The lounge is where the flight attendants
5 walk in to, it's the front part of our space. And
6 the office area is behind that. Their customer
7 service desk, basically, is out in that lounge area,
8 and they sit at that desk and take care of any needs
9 from the flight attendants.**

10 Q. Okay. And what do supervisors do?

11 **A. Supervisors, on a daily basis, they will
12 conduct A checks at the gate, where the aircraft
13 departs, make sure that flight attendants are
14 reporting on time, they have the required items.
15 They will do assessment flights where they'll go out
16 and observe flight attendants working in action. And
17 they will also be a resource for flight attendants
18 that come into the lounge that may need some
19 leadership-type -- and also they will go down to the
20 gates and monitor the daily operation down there,
21 working in conjunction with ground operations.**

22 Q. Okay. Now, did you say you did not recall
23 who Charlene Carter's supervisor was?

24 **A. Not specifically, no.**

25 Q. Okay. All right. Now, as part of your

Page 10

1 to?

2 **A. I don't recall specifically which
3 supervisor was hers at the time. But it would have
4 been one of my supervisors that reports to me.**

5 Q. Okay. So she wouldn't report directly to
6 you, she would report to a supervisor?

7 **A. Correct.**

8 Q. Okay. Now, how many coordinators did you
9 have reporting to you?

10 **A. Three.**

11 Q. Okay. And how many supervisors did you
12 have reporting to you?

13 **A. Ten.**

14 Q. Okay. And who were the three coordinators?

15 **A. By name?**

16 Q. Yes. In 2017.

17 **A. Janet Rhea.**

18 Q. Okay.

19 **A. Jen Luna and Mike Herrick.**

20 Q. Okay. And what, what do coordinators do?

21 **A. They take care of the front entrance into
22 the lounge where the flight attendants report. And
23 they manage anything that a flight attendant needs,
24 any documents, any paperwork. They take care of
25 parking for flight attendants, any type of resources**

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1 responsibilities, did you enforce Southwest
2 disciplinary policies?

3 **A. Yes.**

4 Q. Okay. And is your -- so did you have the
5 authority to, to fire flight attendants?

6 **A. Yes.**

7 Q. Okay. Do you know if that was set forth in
8 writing anywhere?

9 **A. No, I'm not aware of that.**

10 Q. Okay. And I'm not sure that I asked, for
11 the assistant base managers, what are their roles and
12 responsibilities?

13 **A. They oversee the supervisors and the
14 coordinators directly that -- with a team of
15 coordinators and supervisors, put up between three of
16 my assistant base managers. And they will make sure
17 the daily operation is running smoothly, they will
18 watch for any emails that may come in that need to be
19 addressed, and/or disseminated to the supervisors for
20 follow-up and those type of things.**

21 Q. Now, if there was a disciplinary incident
22 involving a flight attendant operating out of the
23 Denver base, would your assistant base managers have
24 authority to investigate those incidents on their
25 own?

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1 **A. As a team, yes, they would.**
2 Q. Okay. Without your involvement?
3 **A. No.**
4 Q. Okay.
5 **A. I have (audio distortion).**
6 Q. I'm sorry, I was speaking over you. Could
7 you say that again.
8 **A. I have oversight of the investigations in**
9 **the base.**
10 Q. Okay. So you would make the initial
11 decision whether or not to conduct an investigation
12 if there was any disciplinary incident?
13 **A. Yes.**
14 Q. Okay. So if there was some sort of
15 disciplinary incident, before taking any action on
16 it, your, your base manager -- excuse me, assistant
17 base manager would report that to you?
18 **A. Correct.**
19 Q. Okay. And did your assistant base managers
20 have authority to terminate any flight attendants
21 without your approval?
22 **A. No.**
23 Q. Okay.
24 **A. Not approval, but my awareness, I would**
25 **have, of what was happening.**

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1 Q. Okay. Was there ever a situation where an
2 assistant base manager conducted most of an
3 investigation and -- that you were not involved in?
4 **A. Not involved in as far as hands-on**
5 **assistant awareness, yes, that has happened.**
6 Q. Okay. How many times has, has that
7 happened?
8 **A. I can't begin to even count them.**
9 Q. Okay. So it's many, it's not just a few
10 times? It's many times?
11 **A. Yes.**
12 Q. Okay. And who, who were your assistant
13 base managers in 2017?
14 **A. Meggan Jones, Dustin Moore and Hector**
15 **Barrera.**
16 Q. Okay. Now, as part of your
17 responsibilities as base manager, did you ever
18 terminate any employees for violating the social
19 media policy?
20 **A. I don't recall doing so.**
21 Q. Okay. Do you know if you had many
22 disciplinary incidents involving the social media
23 policy?
24 **A. I did, yes.**
25 Q. Okay. Now, about how many -- about how

Page 15

1 many social media policy violations have you been
2 involved in?
3 **A. I don't know for sure.**
4 Q. Okay. Do you know if it would be more than
5 ten?
6 **A. I would say it might be close to ten. I**
7 **don't know for sure how many. I haven't counted**
8 **them.**
9 Q. Okay. Do you have records of any social
10 media policy cases you might have been involved in?
11 **A. Not here with me now.**
12 Q. Okay. But, but you do have them in your
13 office?
14 **A. They are kept on the shared drive with**
15 **labor relations. I don't have them specifically, no.**
16 Q. Okay. But there, there are other cases in
17 the Denver region involving -- or there are cases in
18 the Denver region of social media policy violations?
19 **A. Yes.**
20 Q. Okay. And do you -- I guess, do you recall
21 Southwest's workplace bullying and hazing policy?
22 **A. Yes.**
23 Q. Okay. Do you know if you have ever dealt
24 with any violations of the workplace bullying and
25 hazing policy?

Page 16

1 **A. Yes.**
2 Q. Okay. About how many of those have you,
3 you experienced since being Denver base manager?
4 **A. I can only think of possibly one or two.**
5 Q. Okay. And one of those was the -- involved
6 Charlene Carter?
7 **A. Yes.**
8 Q. Okay. And you think there was one other?
9 **A. Possibly.**
10 Q. Okay. Do you recall who, who it was?
11 **A. No.**
12 Q. Okay. Do you, do you know if that
13 violation resulted in that employee's termination?
14 **A. No.**
15 Q. No, you can't recall or, no, it did not
16 result in termination?
17 **A. It did not.**
18 Q. Okay. So the other case did not result in
19 termination?
20 **A. Correct.**
21 Q. Okay. And have you -- well, since being --
22 becoming Denver base manager, have you dealt with any
23 violations of Southwest policy concerning harassment,
24 sexual harassment, discrimination and retaliation?
25 **A. Yes.**

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1 Q. Okay. And how many of those have you dealt
2 with?
3 **A. Once again, I don't know the exact number.**
4 Q. Okay. Was it more than ten?
5 **A. No.**
6 Q. Okay. Less than ten.
7 Do you know if it was less than five?
8 **A. Most likely, yes.**
9 Q. Okay. And do you know if any of those
10 resulted in the employee's termination?
11 **A. None that I can recall.**
12 Q. Okay. And you said you, you don't recall
13 much about Southwest social media policy?
14 **A. I didn't say that.**
15 Q. Oh, okay. So you do, you do recall
16 social -- Southwest social media policy?
17 **A. Yes.**
18 Q. Okay. And you -- but you're not sure how
19 many employees were disciplined under that policy in
20 the Denver region while you've been base manager?
21 **A. No, I don't have an exact number.**
22 Q. Okay. Do you know if that's more than ten?
23 **A. No.**
24 Q. No, it's not more than ten?
25 **A. Correct, yes.**

Page 18

1 Q. Okay. Do you know if it was less than
2 five?
3 **A. I would say most likely it's probably five**
4 **or six, possibly.**
5 Q. Okay. And let's see, that's five or six
6 employees that were terminated?
7 **A. No.**
8 Q. Oh. Five or six employees that were
9 disciplined?
10 **A. Five or six investigations.**
11 Q. Five or six investigations, okay.
12 Do you recall how many of those five
13 or six resulted in discipline?
14 **A. No.**
15 Q. Okay. Do you recall if any of those
16 investigations resulted in termination?
17 **A. No.**
18 Q. Okay. Let's see, if I could, I'd like to
19 have you review Exhibit 2.
20 MR. CORRELL: And, Mr. Schneider,
21 that's going to be labeled by a document number
22 that's not the exhibit number.
23 And, Counsel, if we can use the
24 document numbers, that will be easier.
25 MR. GILLIAM: Sure. Yeah, that will

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1 be document 7.
2 **A. Okay.**
3 Q. Have you had the chance to read this?
4 **A. I have read it in the past, yes. Do you**
5 **want me to read it now?**
6 Q. Well, I just want you to -- you don't have
7 to read it out loud. I just want you to, you know,
8 be familiar with it and --
9 **A. Okay.**
10 Q. Okay. You've reviewed it?
11 **A. Yes.**
12 Q. Okay. Do you recognize it?
13 **A. Yes, I do.**
14 Q. And what is it?
15 **A. It's the termination letter for Charlene**
16 **Carter.**
17 Q. Okay. And does this letter tell you
18 which -- what are the reasons why she was terminated?
19 **A. Yes, it does.**
20 Q. And does it tell you which policies
21 Southwest said she violated?
22 **A. Yes.**
23 Q. Okay. And does this refresh your memory
24 about any of the terminations for social media
25 violations that occurred?

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1 **A. No.**
2 Q. Okay. But you do know Charlene Carter was
3 terminated for violating the social media policy?
4 **A. Yes, I do.**
5 MR. CORRELL: Objection, misstates
6 prior testimony.
7 Q. Okay. But you -- did you decide that
8 Charlene Carter violated Southwest's social media
9 policy?
10 **A. Yes.**
11 Q. Okay. And did you decide that Charlene
12 Carter violated Southwest's workplace bullying and
13 hazing policy?
14 **A. Yes.**
15 Q. Okay. And do you recall any other
16 employees who -- well, do you recall any other Denver
17 flight attendants who violated Southwest's social
18 media policy?
19 **A. Yes.**
20 Q. Okay. Who were the others that you recall?
21 **A. I'm not sure names specifically. But I do**
22 **recall cases where they were violated and given**
23 **disciplined.**
24 Q. Okay. How many of those cases do you
25 recall?

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1 MR. CORRELL: Objection, asked and
2 answered.

3 Q. You can answer.

4 A. **I don't recall.**

5 Q. Do you recall any details about those
6 cases?

7 A. **Not at this moment. I know that it had to**
8 **do with social media and towards other flight**
9 **attendants.**

10 Q. Okay. Do you recall what, what those
11 flight attendants who were fired did on social media
12 towards the other flight attendants?

13 A. **I don't recall one being fired.**

14 Q. Okay. Well, that's not what I asked. I
15 asked, do you recall what those flight attendants did
16 to other flight attendants on social media?

17 A. **It was mostly surrounding any disparaging**
18 **comments about political or towards their beliefs or**
19 **opinions.**

20 Q. Okay. Do you recall any other details?

21 A. **No, I don't.**

22 Q. Now, when you say "disparaging comments"
23 about beliefs or opinions, what kind of beliefs or
24 opinions?

25 A. **I really don't remember the specifics. I**

Page 22

1 **know that when they made their comments, there was a**
2 **Nexus to the Workplace. And that's -- those comments**
3 **and opinions were directly disparaging to the**
4 **company.**

5 Q. Okay. And in those cases, what was the
6 Nexus to the Workplace?

7 A. **Their Facebook page had something that**
8 **identified them as an employee of Southwest Airlines.**

9 Q. Do you remember what those things were?

10 A. **No, I don't.**

11 Q. Okay. Do you know how many flight
12 attendants receive some form of discipline in the
13 Denver region each year?

14 A. **Each year?**

15 Q. Yes.

16 A. **I couldn't even start to imagine how many**
17 **that would be. I couldn't give a direct answer.**

18 Q. Okay. I mean, do you think that's in the
19 hundreds?

20 A. **No, I don't believe it's 100, no.**

21 Q. You don't believe it's 100?

22 A. **No.**

23 Q. Do you believe it's more than 50?

24 A. **Are you asking me of any discipline at all?**

25 Q. Yes, any discipline at all.

Page 23

1 A. **In an entire year, it probably could be**
2 **between 25 to 50.**

3 Q. Okay. Now, would those include, those
4 disciplinary cases include coaching counsels?

5 A. **No, I'm talking specifically discipline.**

6 Q. Okay. And what would the different forms
7 of discipline be?

8 A. **A letter in their file up to suspension or**
9 **termination.**

10 Q. Okay. Do you know how many flight
11 attendants in the Denver base are suspended each
12 year?

13 A. **No. It's a much smaller number.**

14 Q. Okay. In total, do you know how many
15 flight attendants in the Denver region may be
16 terminated each year?

17 A. **Once again, I don't know exact numbers.**

18 Q. Would it be more than five?

19 A. **Possibly five to six. Less than ten, for**
20 **sure. I mean, it depends on the year.**

21 Q. And that's terminated for any reason?

22 A. **Correct.**

23 Q. Okay. Now, when you have -- when you're
24 dealing with a social media policy violation, are
25 there other departments of the company that get

Page 24

1 involved?

2 A. **I have resources that I utilize for**
3 **information.**

4 Q. Okay. So who are the resources that you
5 utilize?

6 A. **It could be employee relations, or in**
7 **Charlene's case or others, the HRBP, human resource**
8 **business partner, it is labor relations. To name a**
9 **few.**

10 Q. Okay. Are there others?

11 A. **Possibly drug and alcohol, if they were --**
12 **if that was the type of case it was.**

13 Q. Okay. Have you ever conferred with the ACT
14 Team over any issue involving a flight attendant in
15 the Denver region?

16 MR. CORRELL: Objection, vague.

17 Q. You can answer.

18 A. **No.**

19 Q. Okay. Do you know who the ACT Team is?

20 A. **Yes, I do.**

21 Q. Okay. All right. Have you ever
22 encountered any cases where a flight attendant is
23 complaining about religious discrimination in the
24 workplace?

25 A. **I don't recall a case like that.**

Page 25

1 Q. Okay. And have you ever had a flight
2 attendant in the Denver region request from the base
3 a religious accommodation?

4 **A. I don't recall one.**

5 Q. Okay. Now, when -- when you investigate a
6 social media policy violation, how do you first hear
7 about the social media policy violation? Excuse me,
8 how do you hear about a complaint of a potential
9 violation?

10 **A. Usually it is a flight attendant's turning**
11 **in some type of document or social media post of some**
12 **sort.**

13 Q. Okay. Does -- is -- are there ever
14 occasions where someone in Southwest management
15 reports it to you?

16 **A. If it came to them first and it was a**
17 **Denver based flight attendant, that would be a**
18 **possibility.**

19 Q. Okay. Do you know if Southwest monitors
20 flight attendants' social media activities?

21 **A. No.**

22 Q. No, you don't know or, no, they do not?

23 **A. They don't, as far as I know.**

24 Q. Okay. All right. Have, have you had any
25 cases where a union executive board member has

Page 27

1 have been any more -- well, let me ask it this way:
2 Have there been many social media policy violations
3 this year?

4 MR. CORRELL: Objection, vague, and
5 calls for speculation.

6 Q. You can answer.

7 **A. Not that I recall specifically that I dealt**
8 **with personally.**

9 Q. Okay. When you say not that you dealt with
10 personally, do you know if they were -- if they
11 involved the Denver base?

12 **A. There possibly was one or two that were**
13 **investigated this year, since the beginning of the**
14 **year.**

15 Q. Okay. Do you recall any details about
16 those two?

17 **A. Only that they were political in nature due**
18 **to the society and issues that are going on right**
19 **now.**

20 Q. And do you know if any flight attendants
21 were disciplined for those incidents?

22 **A. Not from my base, no.**

23 Q. Okay. Do you recall flight attendants from
24 other bases who were disciplined?

25 **A. Possibly. I've heard that they have**

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1 reported a flight attendant for a social media policy
2 violation?

3 **A. Not directly to me. But this case is one**
4 **of them, the Charlene Carter case.**

5 Q. Do you recall any other cases where that
6 happened?

7 **A. No, I do not recall.**

8 Q. Okay. You don't even recall any cases
9 where it might have involved another base?

10 **A. Executive board members, no, I don't recall**
11 **that.**

12 Q. Okay. Do you recall any situations where
13 maybe some other union official reported a flight
14 attendant with a -- some sort of social media
15 complaint?

16 **A. No, I do not recall.**

17 Q. Okay. Now, is this case the only, only one
18 you do recall?

19 **A. I don't understand the question.**

20 Q. Is this case the only instance you recall
21 where a union official has reported a flight
22 attendant with a social media complaint?

23 **A. Yes, this is the only one I can think of at**
24 **this time.**

25 Q. Okay. All right. Do you know if there

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1 **happened.**

2 Q. Okay. What have you heard?

3 **A. Just that it resulted in discipline, but no**
4 **specifics. I don't know for sure what the discipline**
5 **was or if it, in fact, for sure happened.**

6 Q. Okay. Do you recall any details about the
7 allegations?

8 MR. CORRELL: Objection, asked and
9 answered.

10 Q. You can answer.

11 **A. No, I do not.**

12 Q. Okay. All right. Do you know if there
13 have ever been cases in, say, the last seven years --
14 well, excuse me, let me back up.

15 So in 2017, did you have any cases
16 where one of your assistant base managers was
17 handling the investigation of a social media incident
18 where they issued some form of discipline?

19 **A. I don't recall 2017 specifically any case**
20 **that resulted in discipline.**

21 Q. Okay. Well, in the time since you've been
22 there, do you recall some cases of alleged social
23 media policy violations that your, your base managers
24 have investigated that you weren't directly involved
25 in?

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1 A. Yes.
2 Q. Okay. And what were those investigations?
3 A. As far as specific details of it, I don't
4 know those, but I know that the decision was made
5 that they did violate social media policy.
6 Q. Okay. And who made that -- those
7 decisions?
8 A. The assistant base manager for Denver.
9 Q. Okay. And who was that?
10 A. I think it was possibly Dustin Moore.
11 Q. Okay. Did any of the other base managers
12 make those decisions?
13 A. The assistant base managers?
14 Q. Yes, I'm sorry, the assistant base
15 managers.
16 A. I don't recall any others.
17 Q. Okay. And how many of those investigations
18 resulted in discipline?
19 A. What cases are you talking about?
20 Q. The cases that were investigated by the
21 assistant base managers.
22 A. I don't know the answer specifically.
23 Q. You don't know how many were involved, how
24 many cases were involved?
25 A. No, I don't.

Page 30

1 Q. Okay. Do you remember the employees who
2 were involved?
3 A. No.
4 Q. Okay. You don't know the names of the
5 employees?
6 A. Correct.
7 MR. CORRELL: Objection, asked and
8 answered.
9 Q. Do you know if any of your assistant base
10 managers have ever handled a religious accommodation
11 request?
12 A. I don't recall that.
13 Q. Okay. Do you know if any of your assistant
14 base managers have handled any cases involving
15 complaints of religious discrimination?
16 A. No, I don't recall that.
17 Q. Okay. Now, has, has another department at
18 Southwest ever contacted you about a religious
19 discrimination issue?
20 A. Not that I can recall.
21 Q. Okay. Or has any department at Southwest
22 ever contacted one of your assistant base managers
23 about a religious discrimination issue?
24 MR. CORRELL: Objection, calls for
25 speculation.

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1 Q. You can answer.
2 A. I'm not aware of one.
3 Q. Okay.
4 MR. CORRELL: And, Counsel, real
5 quick.
6 Mr. Schneider, unless I instruct you
7 not to answer the question, you can proceed to answer
8 after I've lodged my objection, okay?
9 THE WITNESS: Yes.
10 Q. Now, when did you first hear that a flight
11 attendant had reported Ms. Carter for her Facebook
12 posts and messages?
13 A. Around February of 2017.
14 Q. Okay.
15 A. I'm not sure on the exact date.
16 Q. And do you know who brought those Facebook
17 posts and messages to your attention?
18 A. If I remember correctly, it was sent to the
19 Las Vegas base and forwarded.
20 Q. Okay. If I could direct you to Exhibit --
21 I'm sorry, document 1. And if you could review that.
22 And once you've had the chance to review it, let me
23 know.
24 A. I have reviewed it.
25 Q. Okay. Do you recognize this?

Page 32

1 A. Yes.
2 Q. And what is it?
3 A. It's an email that was sent from Audrey
4 Stone to Suzanne Stephensen --
5 Q. Okay.
6 A. -- regarding her complaint.
7 Q. Okay. And did you receive this complaint,
8 as well?
9 A. It was forwarded to me, yes.
10 Q. Okay. All right. And do you remember who
11 forwarded it to you?
12 A. It was either Suzanne Stephensen, herself,
13 or David Kissman.
14 Q. Okay. Now, before this email was forwarded
15 to you, did you have any other communications about
16 the email?
17 A. No.
18 Q. Okay. Or had you had any communications
19 about the, the matters raised in, in the email?
20 A. Not prior to receiving this.
21 Q. Okay.
22 A. That I'm aware of.
23 Q. Okay. Let's see, and if I could direct you
24 to document 4, and I'll point you to a specific page
25 number. When you have it up, let me know and I'll --

Page 33

1 **A. I have it up.**

2 Q. Okay. If you go to the page that has the
3 number at the bottom, 4436, Bates labeled 4436. And
4 review that page.

5 MR. CORRELL: Counsel, are we talking
6 about document 4 or Exhibit 4?

7 MR. GILLIAM: I'm sorry, it's document
8 2, document 2.

9 **A. Okay.**

10 Q. Okay. And you're on page 4436?

11 **A. Yes, I am.**

12 Q. Okay. And have you reviewed it?

13 **A. One moment, please.**

14 Q. Sure.

15 **A. Okay.**

16 Q. And do you recognize this?

17 **A. Yes.**

18 Q. Okay. And what is it?

19 **A. It is an email from Dave Kissman to myself**
20 **and my assistant base managers concerning the**
21 **complaint from Audrey Stone, showing the post of**
22 **Charlene Carter.**

23 Q. Okay. After you received this email, what,
24 what did you do?

25 **A. I began the investigation into looking at**

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1 **those specific posts and determining next steps.**

2 Q. Okay. And which specific posts do you
3 mean?

4 **A. The ones referred to in the -- on the page,**
5 **the letter.**

6 Q. Okay. In document 1?

7 **A. Do you want me to go to document 1?**

8 Q. Well, yeah. You're referring to the
9 pictures, though, in document 1?

10 MR. CORRELL: Actually misstates prior
11 testimony.

12 Q. Well, when you said that you were looking
13 at these specific posts, which --

14 MR. CORRELL: The problem is this
15 exhibit is incomplete. It's cut off at the end of
16 4436. It shows attachments, but the attachments are
17 not included in the exhibit.

18 MR. GILLIAM: Let's see -- right.
19 4436 is. But if you go back to document 1 -- that's
20 why I'm asking if the specific posts he's referring
21 to are the, the pictures in document 1.

22 **A. Correct.**

23 Q. Okay. And if I could direct your attention
24 to document 1 and page 4228. If I could ask you to
25 review that.

Page 35

1 **A. Okay.**

2 Q. It, it mentions "the recall." Do you know
3 what "the recall" is?

4 **A. I remember that there was a group of flight**
5 **attendants trying to recall the executive board.**

6 Q. Okay. And -- I'm sorry, did I interrupt
7 you?

8 **A. Ms. Stone.**

9 Q. Okay. And when did you first learn about
10 the recall?

11 **A. I don't remember. I had heard rumors about**
12 **it, but didn't have any details. And during this**
13 **investigation is when Charlene Carter gave more**
14 **details about it.**

15 Q. Okay. Who did you hear about the rumors
16 from?

17 **A. Other flight attendants making comments**
18 **about their frustration with the current leadership**
19 **of the union.**

20 Q. Were those flight attendants making those
21 communications to you directly in person?

22 **A. No. I don't remember that.**

23 Q. Okay. Did these other flight attendants
24 send you emails?

25 **A. No.**

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1 Q. Okay. Do you know what channels you heard
2 these rumors from?

3 **A. It was through possibly other leaders,**
4 **maybe. I don't recall specifics to it. I just know**
5 **that there was talk around the bases about being**
6 **frustrated with the leadership in the union.**

7 Q. Okay. And when you say "other leaders,"
8 what do you mean by "leaders"?

9 **A. I don't recall, is what I'm saying, who it**
10 **was. It could have been -- or it might have been**
11 **flight attendants, just as I walk through the lounge,**
12 **having -- because I do speak to a lot of people,**
13 **flight attendants and leaders, but I can't recall**
14 **specifically.**

15 Q. Yeah, I understand. I guess what I'm
16 asking is, when you say -- when you use the term
17 "leaders," who are you referring to?

18 **A. Any person in leadership at Southwest**
19 **Airlines inflight.**

20 Q. Okay. Anyone in, in inflight management?

21 **A. Correct.**

22 Q. Okay. And so a leader would also be a base
23 manager?

24 **A. Correct.**

25 Q. Okay. All right. And turning back to

Page 37

1 document 2, and the page number we were on, 4436,
2 Dave Kissman's email to you and the assistant base
3 manager says, Ed, give Suzanne a call. Did, did you
4 call Suzanne after this email?

5 **A. Yes.**

6 Q. Okay. And what was the subject matter of
7 the conversation?

8 **A. Audrey Stone was Las Vegas based at the**
9 **time. And I needed to find out if there was any**
10 **other communication from Audrey that I wasn't aware**
11 **of, any other posts or specifically how she obtained**
12 **this information.**

13 Q. Okay. And what did Suzanne tell you about
14 how Audrey obtained the information?

15 **A. The posts that were sent to Suzanne**
16 **Stephensen were from Audrey's personal Facebook page,**
17 **and they were specific posts sent to her directly.**

18 Q. Okay. Do you know if -- and do you know if
19 that was true, that all of the posts were sent to her
20 directly?

21 **A. All of which posts?**

22 Q. Well, the posts referencing your
23 conversation with Suzanne Stephensen.

24 **A. Some were, yes.**

25 Q. Okay.

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1 could have been directly sent to Ms. Stone?

2 **A. Yes, it does.**

3 Q. Okay. Did you -- you see it says, my page,
4 my opinions?

5 **A. Yes.**

6 Q. And comments.

7 **A. Yes, I see that.**

8 Q. Okay. And so you think that's something
9 that could have been sent directly to Ms. Stone?

10 **A. Yes, it could have been.**

11 Q. Okay. Are you -- do you use Facebook a
12 lot?

13 **A. No, I do not.**

14 Q. Okay. Do you use Facebook at all?

15 **A. My wife has Facebook, and she shows me**
16 **things. But other than that, I'm not real educated**
17 **on it.**

18 Q. Okay. All right. So going -- I'd like to
19 turn back to document 2 again, the same page we were
20 looking at, and your phone call with Suzanne
21 Stephensen. What, what else did you-all discuss in
22 that phone call?

23 **A. I don't remember anything else other than**
24 **the preliminary information and where it was**
25 **obtained.**

Page 38

1 **A. The ones that we had at that moment in time**
2 **were, yes.**

3 Q. Okay. If I could direct your attention
4 back to document 1 again. And, let's see, page 4232.

5 **A. Okay.**

6 Q. And let me know once you've reviewed that.

7 **A. I've reviewed it.**

8 Q. Do you know if this screen shot was sent to
9 Audrey Stone directly?

10 MR. CORRELL: Objection,
11 mischaracterizes the exhibit.

12 **A. I don't -- I don't know that specifically**
13 **by looking at this document.**

14 Q. Okay. I guess, you know, you had said that
15 at that time when you talked to Suzanne Stephensen,
16 all of the posts that you had viewed were sent
17 directly to Ms. Stone. And I'm wondering if this was
18 a post that was sent directly to Ms. Stone or was
19 this on Charlene Carter's actual Facebook page?

20 **A. I stated that those that were attached to**
21 **the email were the ones supposedly sent directly to**
22 **Audrey Stone.**

23 Q. Okay. But from looking at this page, which
24 was one of the screen shots that Audrey Stone first
25 sent, does it look like this is one that was -- that

Page 40

1 Q. Okay. And did you know who Audrey Stone
2 was?

3 **A. Yes.**

4 Q. Okay. Had you met Audrey Stone before?

5 **A. No.**

6 Q. Okay. Had you communicated with Audrey
7 Stone at all?

8 **A. Not that I remember.**

9 Q. Okay. And so you knew that Audrey Stone
10 was the Local 556 president?

11 **A. Yes, I did.**

12 Q. Okay. And how did you know that?

13 **A. Through communication, and I was at**
14 **Southwest Airlines when the election happened.**

15 Q. Okay. And you knew that she was voted in
16 as president?

17 **A. Yes.**

18 Q. Okay. And when you say "through
19 communications," through communications with whom?

20 **A. There are TWU communications that come out**
21 **once in a while, and it has her name on the byline as**
22 **the president of TWU.**

23 Q. Okay. You receive those TWU communications
24 directly?

25 **A. No.**

1 Q. Okay. How do you receive those TWU
2 communications?

3 A. They print them and put them in the
4 lounges. And that is mainly the reason -- or way.
5 We have a place where TWU keeps their documents that
6 they want for the flight attendants available.

7 Q. Okay. Do you receive those TWU
8 communications in any other way, apart from them
9 being posted in the lounges?

10 A. No.

11 Q. Okay. And going back to Dave Kissman's
12 email here, he says, he's in TOPS and can be reached
13 on cell if needed. Did you call Dave Kissman?

14 A. At some point during the investigation, I
15 did, yes.

16 Q. Okay. Do you know if you called him
17 shortly after receiving this email?

18 A. Most likely, yes.

19 Q. Okay. Do you remember if you, you talked
20 to him after giving Suzanne a call?

21 A. I don't remember the specific order, but at
22 some point I did.

23 Q. Okay. Do -- what do you remember about
24 your initial call with Dave Kissman? What did you
25 discuss?

1 A. He was aware of the post, he had watched
2 the video and he was pretty disgusted with it.

3 Q. What did he tell you?

4 A. He just said simply, like in this part
5 here, that he -- it's very graphic.

6 Q. Did he, he tell you to start the
7 investigation during that call?

8 A. No. That's a decision that I had made
9 already. But wanted him to be aware that I was
10 starting it.

11 Q. Okay. So you made, you made the decision
12 to start the investigation before talking to, to
13 Dave?

14 A. Yes.

15 Q. Okay. All right. After -- immediately
16 after -- I'm sorry, let me ask this clearly.

17 Did you make the decision to start the
18 investigation after receiving the email from Dave?

19 A. Yes.

20 Q. Okay. All right. So I think you, you
21 mentioned that you -- one of the next things you did
22 was determine the next steps to take with the
23 investigation. So what were the next steps you
24 determined you had to take?

25 A. Collecting as much information as I could

1 that was out there. Contacting employee relations,
2 making them aware that I was beginning an
3 investigation, to get their input. And, and then I
4 would reach out to Audrey Stone and try to set up a
5 meeting so we could discuss and get more details.

6 Q. Okay. So how did you go about collecting
7 information?

8 A. The documents that Suzanne Stephensen
9 received, and making sure I had those and if there
10 was anything else out there that I had forwarded to
11 me.

12 Q. Okay. Did you do anything else to collect
13 information?

14 A. I do recall Facebook posts. And we did --
15 I did have somebody look at Charlene Carter's
16 Facebook to see if there was anything out there that
17 possibly made a Nexus to the Workplace.

18 Q. Okay. Who did you have look at Charlene's
19 Facebook page?

20 A. Meggan Jones, my assistant base manager. I
21 believe that labor relations and possibly ER also did
22 some research on that.

23 Q. Okay. So did -- when did you ask Meggan to
24 look at Charlene Carter's Facebook page for
25 information?

1 A. It was early in the investigation. I don't
2 specifically remember.

3 Q. Okay. After your call with Suzanne?

4 A. Yes.

5 Q. Okay. And did, did Meggan say that she
6 would do it, she would go out to the -- Charlene's
7 Facebook page and look for information?

8 A. Yes.

9 Q. Okay. And was that communication in person
10 or by email?

11 A. In person.

12 Q. Okay. Does Meggan work closely to you?

13 A. She's one of my assistant base managers.

14 Q. Okay. Well, I guess my question is, does
15 she -- is her office close to yours?

16 A. Yes, they're in the same vicinity.

17 Q. Okay. All right. Do you work next door to
18 each other?

19 A. At the time, her office was across the
20 hallway from mine.

21 Q. Okay. And what, what information did
22 Meggan Jones find on Charlene's Facebook page?

23 MR. CORRELL: Objection, calls for
24 speculation.

25 Q. Do you know what information Meggan Jones

Page 45

1 found on Charlene's Facebook page?

2 **A. There were posts that showed her associated**
3 **with Southwest Airlines.**

4 Q. Okay. And what were those posts?

5 **A. Pictures of her wings, pictures of other**
6 **statements made with Southwest Airlines' logo.**

7 Q. Okay. Do you know if those were pictures
8 that Meggan had found?

9 **A. I don't, I don't remember specifically who**
10 **found them. I know that some -- there were several**
11 **that were given to me.**

12 Q. Okay. Do you know if Meggan Jones found
13 some pictures?

14 **A. Yes.**

15 Q. Okay. And how do you know that?

16 **A. She showed them to me.**

17 Q. Okay. Do you recall what she showed you?

18 **A. I don't remember details, but it had**
19 **pictures of Charlene Carter and, like I said, logos**
20 **of Southwest Airlines on printed material that were**
21 **on her Facebook page, the wings, and pictures of**
22 **Southwest pilots, if I remember right, and possibly**
23 **pictures of herself in uniform.**

24 Q. Okay. Do you know how soon after asking
25 Meggan to find that information she, she brought it

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1 same, same document, document 2, page 4450. Just
2 once you've found it and have had the chance to
3 review it, let me know.

4 **A. Okay.**

5 Q. Do you recognize this?

6 **A. I have seen it, yes.**

7 Q. Okay. And what is it?

8 **A. It's an email from me to employee**
9 **relations, and I'm asking for their thoughts on any**
10 **protected categories that may have been violated.**

11 Q. Okay. Now, did you have any communications
12 with employee relations before sending this email?

13 **A. No.**

14 Q. Okay. So this was your first time reaching
15 out to employee relations?

16 **A. Yes.**

17 Q. Okay. And it's, I guess, addressed to
18 employee relations DG. Do you know who receives an
19 email at that address?

20 **A. It is the employee relations investigators,**
21 **senior investigators.**

22 Q. Okay. Do you know how many of those senior
23 investigators there are?

24 **A. I think there's four or five.**

25 Q. Okay. Do you know if anybody apart from

Page 46

1 to you?

2 **A. It was the same day.**

3 Q. Okay. Now, I think Dave Kissman emailed
4 you on February 23rd. Do you know if, if that was --
5 that information was collected and given to you on
6 February 23rd?

7 **A. No, I don't remember that.**

8 Q. Okay. All right. Now, I think you, you
9 said you also contacted employee relations to get
10 their input. Is that correct?

11 **A. Yes.**

12 Q. Okay. And, and why did you want their
13 input?

14 **A. I viewed the posts as egregious, and there**
15 **could have been a violation of our harassment policy,**
16 **which employee relations oversees.**

17 Q. Okay. Now, would employee relations have
18 had any input into other disciplinary violations?

19 **A. They're familiar with social media, hazing,**
20 **bullying, but it's not housed in their area.**

21 Q. Okay. So when you reached out to them, you
22 were really seeking their input on whether that, that
23 one policy was violated?

24 **A. Yes.**

25 Q. Okay. If I could direct your attention to

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1 those four or five investigators receive emails at
2 that address?

3 **A. I'm not aware of that, no.**

4 Q. Okay. And you -- I guess you want to know
5 their thoughts on protected categories?

6 **A. Yes.**

7 Q. And what, what is a protected category?

8 **MR. CORRELL: Objection, calls for a**
9 **legal conclusion.**

10 **A. As far as I'm aware, it's race, ethnicity,**
11 **sexual orientation, et cetera.**

12 Q. So that's -- and that's what you meant by
13 "protected category" when you were asking for their
14 views on it?

15 **A. Yes. Among other things as far as**
16 **harassment would go.**

17 Q. Okay. And why did you think that a
18 protected category was involved here?

19 **A. Simply because it depicted several graphic**
20 **details and -- of fetuses, and if I recall right,**
21 **female genitalia, things like that.**

22 Q. Okay. If -- could I -- so when you, you
23 forwarded the email, did you forward -- excuse me,
24 let me ask it this way: So when you forwarded
25 information for their input, the images you sent,

Page 49

1 were they the same images that are in document 1?

2 **A. It was the images that were attached to**
3 **that document that Audrey Stone sent to Suzanne**
4 **Stephensen originally.**

5 Q. Okay. So I guess your -- was your concern
6 with the protected category, whether Audrey fell
7 within one of the protected categories?

8 **A. I was not trying to determine that, myself.**
9 **That's why I reached out to employee relations.**

10 Q. Okay. And so why -- I guess what, what in
11 those images made you suspect that a protected
12 category was involved?

13 MR. CORRELL: Objection, asked and
14 answered.

15 **A. I wasn't sure. I was just reaching out to**
16 **make sure that I covered all areas.**

17 Q. Okay. All right. And did you follow up
18 that, that email you sent to employee relations with
19 any phone calls to, to anyone in employee relations?

20 **A. Not at that time. I wanted to get their**
21 **input strictly from the information I had.**

22 Q. Okay. To your knowledge, was this the
23 first time that, that anyone involved in this
24 investigation had communicated with employee
25 relations about this matter?

Page 50

1 **A. Yes.**

2 Q. Okay. All right. And you do say you
3 wanted to know -- you said, let me know your thoughts
4 on protected categories, et cetera. Was there
5 something else besides protected categories that you
6 were asking them to weigh in on?

7 **A. Anything that had to do with harassment of**
8 **employees, protected categories, any of those type of**
9 **things that fall under their policies.**

10 Q. Okay. So your -- your concern -- well, you
11 wanted to know whether these images involved
12 harassment of Audrey based off of race, religion or
13 one of those other categories you mentioned?

14 **A. Yes, their policy involves harassment,**
15 **sexual harassment, those type. And so sexual**
16 **harassment was one that I wanted to get weighed in**
17 **on.**

18 Q. Okay. Now, I think you might have also
19 said that one of your next steps was reaching out to
20 Audrey Stone.

21 **A. Once I had discussed with employee**
22 **relations, it -- I like to partner with employee**
23 **relations and talk to the complainant and get any**
24 **details that I didn't have at that time.**

25 Q. Okay. Do you know if you had discussions

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1 with employee relations before reaching out to Audrey
2 Stone in this case?

3 **A. Verbally or through email?**

4 Q. Either way. Any sort of communication.

5 **A. Yes. They thought that it was worth**
6 **investigating and wanted to get more details.**

7 Q. Okay. And who -- I guess who communicated
8 that to you?

9 **A. Denise Gutierrez.**

10 Q. Okay. So at some point after you sent this
11 email, Denise Gutierrez contacted you?

12 **A. Correct.**

13 Q. Okay. And do you know if she, she called
14 you over the phone, or did she email you?

15 **A. If I recall correctly, she emailed and then**
16 **we did talk over the phone also.**

17 Q. Okay. And was it in the phone conversation
18 where she said that she thought it was worth
19 investigating?

20 **A. Yes.**

21 Q. Okay. Why, why did she say it was worth
22 investigating?

23 **A. Because it possibly violated the**
24 **harassment, sexual harassment policy.**

25 Q. Okay. Did she say why it possibly violated

Page 52

1 the sexual harassment policy?

2 **A. Because of the graphic images that were**
3 **sent to Audrey Stone.**

4 Q. Did she say it was because they were sent
5 to Audrey Stone?

6 **A. No. It would have been any employee.**

7 Q. Okay. Well, I guess what I mean, was it --
8 was it the images themselves that she thought
9 constituted sexual harassment?

10 MR. CORRELL: Objection, calls for
11 speculation.

12 **A. I don't recall her specific reasons.**

13 Q. Okay. Do you know if she gave you any
14 specific reasons?

15 **A. She possibly could have at that time, but I**
16 **know that we decided to move forward with setting up**
17 **a meeting.**

18 Q. Okay. When Denise Gutierrez told you that
19 it was worth investigating, what did you say?

20 **A. I agreed with her.**

21 Q. Okay. Did you give her your reasons why
22 you agreed?

23 **A. Most likely, I did.**

24 Q. And what were those reasons?

25 **A. Because of the egregiousness of the posts.**

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1 Q. Okay. And do you recall how long that
2 conversation was?

3 A. No, I do not.

4 Q. Okay. So after the conversation is when
5 you reached out to Ms. Stone?

6 A. Yes.

7 Q. Okay. Now, in between that time, did you
8 have any more communications with Denise Gutierrez?

9 A. Not that I'm aware of. She just asked me
10 to let her know the time and date of the meeting and
11 when it was set up.

12 Q. Okay. And after you spoke with Denise
13 Gutierrez, did you talk to any of your assistant base
14 managers about any of the matters involving
15 Ms. Stone's complaint?

16 A. Most likely, because I don't always set up
17 those meetings myself. I have others do it at times.
18 I don't remember in this particular case.

19 Q. Okay. Did you talk to all of your
20 assistant base managers about the matters raised in
21 Ms. Stone's complaint?

22 A. I don't recall that. I only recall
23 specifically talking to Meggan.

24 Q. Okay. How did you decide which assistant
25 base manager to involve in an investigation?

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1 A. I don't. I handle it myself for the most
2 part. But since she is the Facebook person, most
3 adept at it, I reached out to her.

4 Q. Okay. So you believed that Meggan was more
5 adept at Facebook than Hector or -- I forget the
6 other guy's name.

7 A. Dustin. Yes, absolutely.

8 Q. Okay. All right. And so up, up to this
9 point, before -- well, let me, let me back up a bit.

10 So before contacting employee
11 relations, had you discussed the contents of Audrey
12 Stone's email with Meggan Jones?

13 A. I believe so, yes.

14 Q. And I guess you did say that you -- or you
15 did testify that you, you -- that you asked Meggan to
16 go out to Charlene's Facebook page. What were your
17 other discussions with Meggan about the contents of
18 Audrey Stone's complaint?

19 A. Simply that the images were pretty graphic
20 and that I was surprised that those posts were sent
21 to somebody. And I just wanted to know what other
22 posts might be out there. And so that was our
23 discussion.

24 Q. Okay. And what -- how did Meggan respond
25 to you?

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1 A. She was the same understanding of it,
2 thought process. And so she went to Facebook and
3 tried to locate anything else.

4 Q. Now, do you know how she received the
5 images?

6 A. Those were on my computer. And I had
7 printed them out to put in my investigation folder.

8 Q. Okay. Okay. Did you -- now, did you ever
9 talk to Hector or Dustin about the content of Audrey
10 Stone's complaint?

11 A. I don't recall specifics discussing with
12 them or showing them. But I know that they were
13 aware simply because we work so close together.

14 Q. Okay. And did -- what, what did they say
15 to you about the contents of Audrey Stone's
16 complaint?

17 A. I don't recall the conversation with them
18 about the contents.

19 Q. Okay. Did --

20 MR. CORRELL: We've been going for
21 about -- I guess we're a little shy of an hour and a
22 half. Can we take a break in the next five, ten
23 minutes?

24 MR. GILLIAM: Yeah, sure. Now is
25 probably okay. Do we want to do a longer break for

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1 lunch or do we want to do -- what does everybody want
2 to do?

3 MR. CORRELL: It's only 10:30 for
4 Mr. Schneider, so...

5 MR. GILLIAM: I'm okay, but --

6 MR. CORRELL: I'm fine coming back for
7 another hour or so after a short break and then do a
8 lunch unless anybody has an objection.

9 THE WITNESS: I'm okay with that.

10 MR. GILLIAM: Okay. That's fine by
11 me.

12 MR. CORRELL: Okay. So let's take ten
13 and we'll be back here right after.

14 MR. GILLIAM: Okay. Sounds good.

15 THE VIDEOGRAPHER: We are off record
16 at 11:23 a.m.

17 (Recess from 11:23 to 11:35)

18 THE VIDEOGRAPHER: We are back on
19 record at 11:36 a.m.

20 Q. Okay, Mr. Schneider, at what point during
21 an investigation do you have to communicate with a
22 flight attendant's union representative instead of
23 talking to the flight attendant directly?

24 A. Once we have called the flight attendant
25 and made them aware of the investigation, we tell

Page 57

1 **them that they are allowed to have union**
2 **representation and to please call the union if they**
3 **would like to have that representation. At that**
4 **point we only talk to the union.**
5 Q. Okay. And does that approach apply to both
6 the complainant and the person whose conduct is being
7 complained of?
8 **A. No, it does not.**
9 Q. Okay. So you can continue communicating
10 with the complainant even if they're not represented?
11 **A. Correct.**
12 Q. Okay. All right. So prior to contacting
13 Audrey, how many communications had you had with Dave
14 Kissman about Audrey Stone's complaint?
15 **A. I don't recall.**
16 Q. Do you know if it was more than one?
17 **A. Possibly. I don't recall for sure.**
18 Q. Okay. Do you know if you had more than one
19 phone conversation with him prior to talking to
20 Audrey?
21 **A. I don't recall.**
22 Q. Okay. Did, did you have any communications
23 with anyone else apart from Dave Kissman or Meggan
24 Jones prior to contract -- excuse me. Did you have
25 any communications with anybody apart from Dave

Page 58

1 Kissman, Meggan Jones or other assistant base
2 managers or Denise Gutierrez prior to contacting
3 Audrey?
4 MR. CORRELL: Objection, misstates
5 prior testimony.
6 **A. I made labor relations aware of the**
7 **investigation.**
8 Q. Okay. Who in labor relations did you
9 communicate with?
10 **A. Maureen Emlet.**
11 Q. Okay. And what -- I guess, how did you
12 communicate with Maureen?
13 **A. The phone conversation.**
14 Q. Okay. And what did you tell Maureen in
15 your phone conversation?
16 **A. That I was beginning an investigation into**
17 **Charlene Carter, and that it had to do with Facebook**
18 **posts that were sent to Audrey Stone.**
19 Q. Okay. And what was Maureen's response?
20 **A. She was fine with me continuing and moving**
21 **through the steps and she -- that I can remember -- I**
22 **don't know for sure if she said anything else about**
23 **it.**
24 Q. Okay. Did you explain the content of those
25 Facebook messages and posts?

Page 59

1 **A. I did.**
2 Q. Okay. And did, did you have any
3 communications with Naomi Hudson before contacting
4 Audrey?
5 **A. No.**
6 Q. Okay. Did you have any communications with
7 Sonya Lacore before contacting Audrey?
8 **A. No.**
9 Q. Okay. Did you have any communications with
10 Mike Sims before contacting Audrey?
11 **A. I don't remember.**
12 Q. Okay. Now, prior to you contacting Audrey,
13 do you know if anyone else in -- involved in the
14 investigation contacted Audrey about her complaint?
15 **A. I don't recall that happening.**
16 Q. Okay. All right. Before contacting
17 Audrey, how many communications did you have with
18 Suzanne Stephensen about the matter?
19 **A. I only remember the one conversation.**
20 Q. Okay. And just to make sure that I say it
21 clearly, did you have any other communications with
22 Suzanne Stephensen apart from the one conversation?
23 **A. I don't remember.**
24 Q. Okay. Now, in -- before contacting Audrey
25 Stone, did anyone have any communications about the

Page 60

1 issues -- any issues involved with this complaint
2 dealing with the union president?
3 MR. CORRELL: Objection, vague.
4 **A. I don't understand the question.**
5 Q. Okay. In, in all of the communications you
6 had before contacting Audrey, did anyone say anything
7 about issues with this matter involving the union
8 president?
9 MR. CORRELL: Objection, vague.
10 **A. I don't remember.**
11 Q. Okay. I direct you to 4459, let's see,
12 still in document 2. Once you've found it and had
13 the chance to review it, let me know.
14 **A. Okay.**
15 Q. In -- do you recognize this?
16 **A. Yes.**
17 Q. Okay. And what is it?
18 **A. It's an email from Denise Gutierrez to me**
19 **after she had time to review the information I sent**
20 **her.**
21 Q. Okay. And she asks in her email, when is
22 our day seven on this issue?
23 **A. Correct.**
24 Q. What, what is a day seven?
25 **A. We have seven days to complete an**

Page 61

1 investigation from beginning to end. And day seven
2 would be the final day that we would have to render
3 our decision.

4 Q. Okay. And what happens if you have not
5 completed the investigation within seven days?

6 A. You miss the deadline and you cannot issue
7 discipline.

8 Q. Okay. And are you, are you able to get
9 extensions on the seven days?

10 A. Yes.

11 Q. Okay. And how do you get an extension?

12 A. In this case, I don't remember specifics,
13 but it seems like Charlene did ask for more time.
14 And it seems to me, if I recall correctly, that there
15 were one or two extensions done. And I contacted the
16 union to get those completed.

17 Q. Okay. So is it correct that you have to
18 get the union's approval in order to get an
19 extension?

20 A. It's an agreement between the company and
21 the union.

22 Q. Okay. Have you ever had an investigation
23 where the union would not agree to give an extension?

24 A. Yes.

25 Q. Okay. What do you recall from that

Page 63

1 Q. Okay. If I could direct you to 7159, still
2 document 2. Once you've had the chance to find it
3 and review it, let me know.

4 A. Okay.

5 Q. And do you recognize this?

6 A. No, not specifically.

7 Q. Okay. You do see that it's an email from
8 you?

9 A. Yes.

10 Q. Okay. And it's addressed to Suzanne
11 Stephensen?

12 A. Yes.

13 Q. Okay. And it says, Suzanne, I have talked
14 to Audrey and set up a phone discussion tomorrow with
15 Denise Gutierrez, and it continues. Do you -- and
16 it's dated February 23rd of 2017. So does that
17 refresh your recollection as to what point in time
18 you may have talked to Audrey?

19 A. It gives me a time frame, yes.

20 Q. Okay. And the phone discussion that's
21 referenced, do you know if that is a fact finding?

22 A. It's not specifically a fact finding. We
23 use the same document when we take notes. But it's
24 more of an information gathering.

25 Q. Okay. And so the -- I guess the phone

Page 62

1 investigation?

2 A. We were at day seven and we asked for more
3 information and I needed more time to get that
4 information. And the union was unwilling, and so I
5 was forced to make my decision that day.

6 Q. Okay. Do you recall many incidents where
7 the union has denied your extension request?

8 A. No.

9 Q. Okay. And I should clarify. When you say
10 "no," the union has not denied your extension request
11 in many instances?

12 A. No, they have not.

13 Q. Okay. Is there only one instance you
14 recall of the union denying your extension request?

15 A. One that I can recall, yes.

16 Q. Okay. All right. And were there any
17 situations where you may not recall the details, but
18 the, the union did still deny an extension request?

19 A. I don't remember.

20 Q. Okay. All right. Did you ever communicate
21 with Toni Hamilton about this matter?

22 A. I don't remember.

23 Q. Okay. Do you know whether this matter had
24 been forwarded to Toni Hamilton?

25 A. I don't know that.

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1 discussion that's referenced here, do you know if
2 that was the information gathering you conducted as
3 part of your investigation?

4 A. Yes.

5 Q. Okay. And that information gathering would
6 have been with Audrey Stone?

7 A. Yes.

8 Q. Okay. And do you know how many
9 conversations you had with Audrey prior to that
10 information gathering?

11 A. No, I do not.

12 Q. Okay. But you did have one conversation
13 with her, at least?

14 A. To set up the phone discussion.

15 Q. Okay. And what did you tell Audrey in that
16 first conversation?

17 A. I don't remember specifics on it.

18 Q. Okay. Okay. Do you remember what Audrey
19 said to you in the first conversation?

20 A. No, I don't recall that.

21 Q. Okay. Okay. So you don't recall anything
22 about that first conversation. But can you say that
23 it was to set up a fact finding?

24 A. It was to set up the phone discussion, yes.

25 Q. Yes, the information gathering, sorry. I

Page 65

1 need to learn the lingo.

2 Okay. And do you know if you did have
3 the information gathering on February 24th?

4 **A. I don't know that for sure, if that's what**
5 **this is saying.**

6 Q. Okay. If I could direct your attention to,
7 let's see, document 5. And for others, it's Exhibit
8 5.

9 **A. Okay.**

10 Q. And do you recognize this?

11 **A. Yes.**

12 Q. Okay. What is it?

13 **A. It's an email to Denise Gutierrez and**
14 **Maureen Emlet, and attaching the meeting notes from**
15 **Audrey.**

16 Q. Okay. And on the notes there's listed a
17 date.

18 **A. On the notes themselves?**

19 Q. Yes.

20 **A. Okay.**

21 Q. Do you know if that's the date that you
22 held the fact-finding meeting?

23 **A. If it's the date on these notes, yes,**
24 **that's the day I held it.**

25 Q. Okay. Do you know who prepared these

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1 Q. All right. And it -- I guess it lists the
2 employee name, union representative and company
3 representatives here. Those were the only meeting --
4 I'm sorry, those were the only persons in attendance?

5 **A. Yes.**

6 Q. Okay. All right. And were -- did you
7 conduct this meeting by teleconference?

8 **A. Yes.**

9 Q. Okay. And was anybody else in your office
10 with you when you held the meeting?

11 **A. Janet Rhea was in my office with me.**

12 Q. Okay. Where was Denise Gutierrez?

13 **A. In -- I don't know for sure. Wherever her**
14 **office or home is, I'm not positive.**

15 Q. Okay. But she wasn't in your office?

16 **A. No.**

17 Q. And was Audrey Stone in, in your office?

18 **A. No.**

19 Q. Okay. Do you know where Audrey Stone was
20 at the time?

21 **A. No, I do not.**

22 Q. Okay. And Brett Nevarez wasn't in your
23 office?

24 **A. No.**

25 Q. Okay. Do you know where he was?

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1 notes?

2 **A. It was Janet Rhea, one of my coordinators.**

3 Q. Okay. Now, was Janet Rhea involved in the
4 investigation of this case?

5 **A. No.**

6 Q. Okay. And did Janet Rhea have any part in
7 the decision making in this case?

8 **A. No.**

9 Q. Okay. And did, did Audrey have a union
10 representative with her on the call?

11 **A. She did.**

12 Q. Okay. And who was that?

13 **A. Brett Nevarez.**

14 Q. All right. And do you know if she had told
15 you ahead of time that she would be bringing a union
16 rep?

17 **A. She did not tell me that, that I recall.**

18 Q. Okay. Do you know if he just joined at
19 some point during the call?

20 **A. If I remember correctly at some point, yes,**
21 **when the call started. Because we always ask them as**
22 **part of our protocol.**

23 Q. Do you know how long information gathering
24 lasted?

25 **A. No idea.**

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1 **A. No.**

2 Q. Do you know if they were together
3 somewhere?

4 **A. I do not know that for sure, I don't**
5 **recall.**

6 Q. Okay. And I have a question. If I could
7 direct you to 4635, still part of the same document,
8 towards the bottom of the page, the last block there.

9 **A. Okay.**

10 Q. And Audrey refers to the Women's Committee
11 Team. Do you know if that Women's Committee Team is
12 a joint committee between Southwest and the union?

13 **A. I do not know that.**

14 Q. Okay. As, as part of this meeting, what
15 questions did you, did you have that you wanted to
16 ask Audrey?

17 **A. I don't recall specific questions, but I**
18 **wanted to find out how she obtained the video, the**
19 **graphics, the posts, and if they were sent to her**
20 **directly as a private message, if they were generally**
21 **put on a Facebook page and referenced her or what the**
22 **specifics were.**

23 Q. All right. Did you ask her whether she
24 also saw any sort of connection to Southwest on the
25 page?

Page 69

1 **A. I don't remember asking that question.**
2 Q. Okay. And what did she tell you about how
3 she had obtained the posts?
4 **A. They were sent to her in a private message.**
5 Q. Okay.
6 **A. A Facebook private message.**
7 Q. Did she say that all of the posts were sent
8 to her in a private message?
9 **A. I don't recall that. I know that the**
10 **graphic ones were.**
11 Q. Okay. At any point prior to Charlene
12 Carter's termination, do you know if anybody else
13 complained about Charlene Carter's Facebook posts?
14 **A. I don't recall that.**
15 Q. Okay. And had Charlene ever been
16 disciplined?
17 **A. I don't believe she was prior to this.**
18 Q. Okay. Now, after -- or do you know if this
19 document here represents the exact notes that Janet
20 took during the meeting?
21 **A. Yes.**
22 Q. Okay. And are these an accurate
23 representation of the conversations you had in the
24 fact-finding meeting?
25 **A. The meeting with Audrey Stone?**

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1 Q. Yeah.
2 **A. Yes.**
3 Q. Okay. Do you know if you had any -- did
4 you have a chance to make revisions to the notes
5 after Janet took them?
6 **A. I read through them to make sure that they**
7 **were a good representation of the meeting and what**
8 **was discussed.**
9 Q. Okay. Did you make any corrections to her
10 notes?
11 **A. I don't remember in this one, making**
12 **corrections specifically.**
13 Q. Okay. All right. Now, had, had you
14 reached any conclusions after holding the information
15 gathering with Audrey?
16 **A. I reached a conclusion that I needed to**
17 **have a meeting, a fact-finding meeting with Charlene.**
18 Q. Okay. And so what were your next steps
19 after you held the information gathering with Audrey?
20 **A. To contact Charlene and set up a**
21 **fact-finding meeting with her.**
22 Q. And after you, after you held the fact --
23 I'm sorry, the information gathering with Audrey, did
24 you communicate with, with anyone else about the fact
25 finding?

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1 **A. I had conversations with employee**
2 **relations, and I informed labor relations that I**
3 **would be conducting a fact-finding meeting with**
4 **Charlene.**
5 Q. Okay. And after the information gathering
6 with Audrey, did you communicate with anyone else
7 about that meeting?
8 **A. I most likely informed Dave Kissman also.**
9 **I don't recall the exact steps.**
10 Q. Okay. Did you communicate with anybody
11 else about the information gathering?
12 **A. I don't recall.**
13 Q. Okay. Now, why wasn't Meggan Jones in
14 attendance at the information gathering?
15 **A. She was not conducting the investigation,**
16 **she wasn't a part of that specifically.**
17 Q. Okay. Now, at any point thereafter did you
18 communicate with Meggan Jones about Audrey Stone's
19 information gathering?
20 **A. I informed her that I was going forward**
21 **with the meeting with Charlene, and I asked her to**
22 **take the notes in that meeting for me.**
23 Q. Okay. And given that Meggan hadn't been
24 involved in Audrey's information gathering, why did
25 you ask her to participate in Charlene's fact

Page 72

1 finding?
2 **A. When we have investigations of this**
3 **magnitude, it's my preference to have another leader**
4 **in there with me and not a coordinator.**
5 Q. And so why didn't you have Meggan involved
6 in the first information gathering?
7 **A. That was simply just gathering information**
8 **and I just needed somebody to take the notes. I**
9 **don't recall specifically if Meggan was there that**
10 **day or not.**
11 Q. Okay. And when you communicated with
12 employee relations about the information gathering,
13 what, what did you -- who with employee relations did
14 you talk to?
15 **A. Denise Gutierrez.**
16 Q. And what did you tell her about the
17 information gathering?
18 **A. She was involved with it and simply made my**
19 **decision known that I wanted to conduct a meeting**
20 **with Charlene and how she wanted to be involved with**
21 **it.**
22 Q. Did she tell you that she wanted to be
23 involved?
24 **A. Yes.**
25 Q. And why did she say she -- well, did she

Page 73

1 tell you why she wanted to be involved?

2 **A. Because it had a possibility of violation**
3 **of the harassment policy, sexual harassment.**

4 Q. Okay. And Denise was at the information
5 gathering with Audrey, correct?

6 **A. Correct.**

7 Q. Do you know if you talked to her
8 immediately after that meeting?

9 **A. I don't remember.**

10 Q. Okay. And do you remember whether that
11 communication was in person or by email?

12 **A. No, it was on the phone.**

13 Q. Okay. What else, if anything, do you
14 remember telling Denise in that phone call?

15 **A. If I remember correctly, we had discussed**
16 **not only harassment, but possibly bullying and hazing**
17 **policy violation. And that was not in her area of**
18 **expertise.**

19 Q. Okay. And what did you tell Denise about
20 the connection to the bullying and hazing policy?

21 **A. We had discussion on that, and that falls**
22 **more under our HRBP than employee relations.**

23 Q. So did you determine that you had to get
24 the HRBP involved?

25 **A. Yes.**

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1 Q. Okay. Now, had the HRBP been involved up
2 to that point?

3 **A. No.**

4 Q. Okay. At what point did you believe that
5 the bullying and hazing policy was implicated in this
6 matter?

7 **A. After the information gathering from Audrey**
8 **Stone.**

9 Q. And what about the information gathering, I
10 guess, caused you to think that that might be
11 involved here?

12 **A. The graphic nature of it and also that it**
13 **was not a one-time instance of her contacting Audrey**
14 **Stone.**

15 Q. Okay. Now, had Charlene Carter ever sent
16 the -- I guess the, the aborted fetus images to
17 Audrey prior to this incident?

18 MR. CORRELL: Objection, calls for
19 speculation.

20 **A. I don't know that.**

21 Q. Okay. But this was the first time you had
22 heard of those images being sent to Audrey Stone by
23 Charlene?

24 **A. Yes.**

25 Q. Okay. So when you say that this had --

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1 well, scratch that.

2 And so after this meeting, did you
3 reach out to the HRBP?

4 **A. Which meeting are you referring to?**

5 Q. I'm sorry, after the information gathering
6 with Audrey Stone, did you reach out to the HRBP?

7 **A. I recall at some point I did, to let her**
8 **know when the meeting would be.**

9 Q. Okay. Which meeting?

10 **A. The fact-finding meeting with Charlene.**

11 Q. Okay. And is there a specific HRBP who you
12 would have known to reach out to, or do they -- does
13 that group decide for itself who is going to be
14 involved in your investigation?

15 **A. No, inflight has one specific HRBP. It's**
16 **Edie Barnett.**

17 Q. Okay. So you, you reached out to Edie
18 Barnett sometime between the information gathering
19 with Audrey and the fact finding with Charlene?

20 **A. Correct.**

21 Q. Do you know if you communicated with her by
22 phone, email, or in person?

23 **A. I don't recall specifically, but I'm pretty**
24 **sure it was email, possibly.**

25 Q. Do you know if you had multiple

Page 76

1 conversations with Ms. Barnett prior to Charlene's
2 fact finding?

3 **A. No.**

4 Q. Okay. No, you didn't, or no, you don't
5 recall?

6 **A. I don't recall having multiple.**

7 Q. Okay. All right. And did you speak with
8 anyone besides Denise Gutierrez and employee
9 relations about the information gathering?

10 **A. Your question was did I speak to anybody**
11 **else in employee relations other than Denise?**

12 Q. Yes. About the information.

13 **A. No, I don't recall speaking to anybody**
14 **else.**

15 Q. Okay. You didn't have any communications
16 with anyone else of any sort?

17 **A. Not that I recall.**

18 Q. Okay. And I think -- did you say that you
19 also communicated with somebody in labor relations
20 after the information gathering with Audrey?

21 **A. Yes.**

22 Q. Okay. And who was that?

23 **A. Maureen Emlet.**

24 Q. Okay. And what did you tell Maureen?

25 **A. That I felt we needed to have a meeting**

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1 with Charlene and that I was going to set it up.

2 Q. Okay. Did you tell Maureen which policies
3 might have been at issue based off the conduct
4 involved?

5 A. We discussed that, yes.

6 Q. Okay. And what did -- which policies did
7 you discuss?

8 A. The bullying, hazing policy and the
9 harassment policy, as well as the social media
10 policy.

11 Q. Okay. At what point did you feel that the
12 social media policy might be implicated by the
13 conduct in this complaint?

14 A. Because of the information we gathered
15 indicating the Nexus to the Workplace.

16 Q. Okay. And at what point did you, I guess,
17 start considering that there might have been a social
18 media policy violation?

19 A. When I learned that this was on social
20 media also.

21 Q. Okay. All right. What, if anything, did
22 you tell Dave Kissman when you communicated with him
23 after the information gathering?

24 A. Simply that I felt we needed to go forward
25 with the investigation and conduct a fact-finding

Page 79

1 involving these policies?

2 A. I don't recall that.

3 Q. Okay. Now, at, at this stage after the
4 information gathering, did you ask Maureen her
5 opinion on whether you should proceed to the fact
6 finding?

7 A. No. Just sharing information. And I came
8 to that conclusion myself.

9 Q. Okay. And when you talked to Dave Kissman,
10 did you ask his opinion as to whether you should
11 proceed to the fact finding?

12 A. Same type of thing, we just discussed the
13 details and let them know that I was proceeding.

14 Q. Okay. And apart from those communications,
15 did you have any communications with anyone else
16 about events continuing up through the information
17 gathering with Audrey?

18 A. I don't remember having those.

19 Q. Okay. After the information gathering, did
20 you have any communications with, with Audrey about
21 the information gathering?

22 A. I don't recall that.

23 Q. Okay. Did you have any communications with
24 Brett Nevarez during the investigation outside of the
25 information gathering?

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1 meeting with Charlene.

2 Q. And what was Dave's response?

3 A. He agreed.

4 Q. Okay. Did -- now, do you know if you
5 called Dave or did Dave call you after the
6 information gathering?

7 A. I don't recall specifically.

8 Q. Okay. And I'm sorry, was this a phone
9 call?

10 A. Yes.

11 Q. Okay. All right. And as part of that
12 conversation, were there any other communications
13 about this matter?

14 A. Not that I can recall.

15 Q. Okay. And how about your, your
16 communication with Maureen, was there any other
17 communication about other aspects of this matter?

18 A. Only discussing the policies involved.

19 Q. Okay. Did -- what did she say about the
20 policies that you mentioned?

21 A. She agreed that there was potential for
22 harassment, sexual harassment, the social media
23 policy or bullying and hazing policy violations.

24 Q. And in this conversation did Maureen
25 mention any other cases that she was involved in

Page 80

1 A. No.

2 Q. Okay. So was your next step to hold the
3 fact finding with Charlene?

4 A. Yes.

5 Q. Okay. Do you remember when you, you had
6 that fact finding with Charlene?

7 A. I don't remember the specific dates, no.

8 Q. Okay. Now, I guess another question, I
9 guess, does the human resources business partner, the
10 HRBP, make a decision as to whether the bullying and
11 hazing policy is violated?

12 A. They give me feedback on whether they feel
13 it was violated, yes.

14 Q. Okay. Now, if the HRBP determines that
15 it's not violated, could you still issue discipline
16 for the violation of that policy?

17 A. Yes.

18 Q. I'm sorry -- well, okay. Or maybe a better
19 way to ask it, if the HRBP determines there is not a
20 violation, could you still decide that, yes, there is
21 a violation?

22 A. We would come to that conclusion together,
23 it would be a consensus.

24 Q. Okay. But I guess do, do you have the
25 authority to, to come to a different conclusion, if

Page 81

1 HRBP would disagree with you, could you independently
2 decide that it was a violation?

3 **A. I could, but I don't know for sure if I**
4 **would in this situation.**

5 Q. Okay. Let's see, if I could refer you to
6 document 9. Once you find it and review it, let me
7 know.

8 **A. Okay.**

9 Q. And do you recognize this?

10 **A. The email, yes.**

11 Q. Okay. And what is it?

12 **A. This is an email from me to Maureen Emlet**
13 **and Denise Gutierrez, indicating information that**
14 **Charlene brought into the meeting to present to us.**

15 Q. And do you recognize the pages that follow?

16 **A. The fact-finding meeting notes with**
17 **Charlene?**

18 Q. Yes.

19 **A. Yes.**

20 Q. Okay. And do you know if these were -- if
21 this is the final version of the notes?

22 **A. As far as I'm aware, looking at it right**
23 **now, yes.**

24 Q. Were there different drafts of these notes?

25 **A. Not that I'm aware of.**

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1 Q. Okay. Now, did -- okay, did you take any
2 of your own notes for the fact-finding meeting?

3 **A. I did take some notes, yes.**

4 Q. Okay. Did, did you produce those in
5 response to Ms. Carter's discovery request?

6 **A. When I take notes, I get notes back from my**
7 **note taker, I incorporate them into those notes and**
8 **those are the only ones that I have.**

9 Q. Okay. When you say your "note taker,"
10 you're referring to an individual?

11 **A. Yes. In this case, Meggan Jones.**

12 Q. Okay. So did Meggan Jones take the only
13 notes that exist for this fact-finding meeting?

14 **A. She took notes during the fact-finding**
15 **meeting. And once she completed them, she sent them**
16 **to me and I incorporated my notes into them. So,**
17 **yes, it's the one document.**

18 Q. Okay. Okay. So you incorporated your
19 notes into this document?

20 **A. Correct.**

21 Q. Okay. Do you know if this fact-finding
22 meeting was recorded?

23 **A. No, it was not.**

24 Q. Okay. Are, are fact findings ever
25 recorded?

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1 **A. No, it's not allowed.**

2 Q. Okay. And it -- this -- I guess at the top
3 of the fact-finding notes, it lists who was in
4 attendance. And does that accurately say who, who
5 all participated in the meeting?

6 **A. Yes.**

7 Q. Okay. Now, did -- were Charlene and Chris
8 in your office for this meeting?

9 **A. Yes, they were.**

10 Q. Okay. And the notes say, conferenced in
11 via phone, Denise Gutierrez and Edie, Edie Barnett --
12 Edith Barnett. They -- so they were not present,
13 correct?

14 **A. Correct.**

15 Q. Okay. And I want to step back a second.
16 After the investigation gathering meeting with
17 Audrey, did you determine that you needed more
18 information regarding Facebook posts and social media
19 posts?

20 **A. I'm not sure the sequence of events, but**
21 **during that time, I asked for more Facebook posts. I**
22 **don't know if they came before or after our meeting.**

23 Q. Okay. Do you recall Denise Gutierrez
24 seeking more information on Facebook posts that were
25 made?

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1 **A. Yes.**

2 Q. Okay.

3 MR. GILLIAM: I'd like to mark the
4 next exhibit. It will be document 20. So I'm not
5 sure which exhibit we are on now. Is it 13? No.
6 14?

7 MR. CORRELL: I believe we are on 14,
8 Counsel.

9 MR. GILLIAM: Okay.

10 So, yeah, if we could mark document 20
11 as Exhibit 14.

12 (Exhibit 14 marked)

13 Q. Mr. Schneider, that will be document 20.

14 **A. Document 20?**

15 Q. Yes, sir. Have you found it?

16 **A. No, I have not.**

17 MR. CORRELL: And, Mr. Schneider, to
18 help you, that will be the very last document I sent
19 you. I believe it's by itself in its own email.

20 **A. Got it, okay.**

21 Q. If you want to just take a moment to look
22 over that. Just let me know once you've reviewed it.

23 **A. Okay.**

24 Q. And do you recognize this?

25 **A. Vaguely.**

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1 Q. Do you, do you know what it is?

2 **A. It's an Email from Denise Gutierrez to**
3 **Audrey Stone. It looks like clarifying some**
4 **information.**

5 Q. Okay. And are these -- well, Audrey says
6 in her email to Denise, Suzanne, you and Brett, below
7 are screen shots of every message Charlene Carter has
8 sent me via Facebook at your request. There are a
9 lot and span the last two years.

10 And you -- I think you may have said
11 earlier that -- and please correct me if I'm wrong,
12 because I don't want to misstate anything -- that one
13 of the reasons why you considered a bullying and
14 hazing policy violation is that this didn't involve
15 one instance, it involved more than one instance.

16 **A. Correct.**

17 Q. Are, are these the repeated communications
18 that gave rise to your concern about the violation of
19 the bullying and hazing policy?

20 **A. They seem to be, yes.**

21 Q. Okay. And in that same email that's, I
22 guess, midway through the first page here, I guess
23 the end of the last paragraph in Audrey's email, it
24 says, also very concerning is repeated references
25 regarding Brian Talbert's termination and subsequent

Page 87

1 regarding Brian Talbert's termination and subsequent
2 reinstatement, did that raise any concerns for you?

3 **A. Not specifically, no.**

4 Q. Okay. And you say "not specifically." In
5 any way did it raise any concerns for you?

6 **A. Only in the fact that she mentioned it**
7 **here. But it had nothing to do with this case.**

8 Q. Okay. Let's see, I'd like to switch back
9 to -- let's see which document. Document 9.

10 MR. GILLIAM: And, Mr. Schneider,
11 anytime you want to take a break for lunch, you just
12 let me know, you just stop me.

13 THE WITNESS: I'll let you guys decide
14 that.

15 MR. GILLIAM: Okay.

16 MR. CORRELL: Counsel, I was thinking
17 about 10, 15 more minutes, unless you're at a good
18 stopping point. I'm happy to do it whenever.

19 MR. GILLIAM: Now is probably as good
20 a stopping point as any, if you wanted to break.

21 MR. CORRELL: 45 minutes about right?

22 MR. GILLIAM: I think that's about
23 right for me, if that's okay with others. If anybody
24 else needs a little more time, that's fine too.

25 MR. CORRELL: I think that will do.

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1 reinstatement.

2 **A. Are you on a specific page?**

3 Q. Yeah. The first page of, of document 20,
4 it's 529, is the Bates label number.

5 **A. Okay.**

6 Q. And I guess my, my question is, Audrey
7 says, very concerning is repeated references
8 regarding Brian Talbert's termination and subsequent
9 reinstatement. And my question is, do you, do you
10 know what Audrey Stone's concern was there that she
11 referenced?

12 **A. No. But Brian Talbert is not in the Denver**
13 **base. That must have been another base.**

14 Q. Okay. Do you, do you know who he is?

15 **A. I know of him, yes.**

16 Q. Okay. How do you know of Brian Talbert?

17 **A. He is Phoenix based, I think, still. I'm**
18 **not sure at this time. But when I was in Phoenix, he**
19 **was based there.**

20 Q. Okay. And you, you knew him personally
21 through your work in Phoenix?

22 **A. Just knowing him like I know -- or are**
23 **familiar with most flight attendants or -- or a lot**
24 **of flight attendants.**

25 Q. Okay. And the, the repeated references

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1 So it's 12:35 now, so we'll be back in about 45
2 minutes.

3 MR. GILLIAM: Okay.

4 THE VIDEOGRAPHER: We are off record
5 at 12:36 p.m.

6 (Recess from 12:36 to 1:24)

7 THE VIDEOGRAPHER: We are back on
8 record at 1:24 p.m.

9 Q. Let's -- one moment.

10 All right. Mr. Schneider, I just had
11 a few questions for clarification before moving on.
12 I wanted to direct your attention back to document
13 20, which is also Exhibit 14. Once you've found it,
14 let me know.

15 **A. Okay.**

16 Q. Do you have it?

17 **A. Yes, I do.**

18 Q. Okay. And Suzanne Stephensen is included
19 on these emails between Denise Gutierrez and Audrey
20 Stone. Was Suzanne Stephensen involved in the
21 investigation at that point?

22 **A. Not from my perspective. Audrey Stone is**
23 **Las Vegas based, and Suzanne Stephensen is the base**
24 **manager for Las Vegas. That's probably why she was**
25 **cc'd on those.**

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1 Q. Okay. Do you know if Suzanne Stephensen
2 was conducting any, any investigation on her own?
3 **A. No.**
4 Q. Okay. And did you ask Suzanne to help you
5 with any aspect of the investigation?
6 **A. Only sending me what she had from Audrey.**
7 Q. Okay. And I'm sorry to speak over you.
8 I guess after you had that
9 communication with Suzanne, you did not ask her to
10 participate in the investigation from any point -- or
11 excuse me, let me ask that a different way.
12 So after you had that communication
13 with Suzanne, Suzanne did not participate in your
14 investigation in any way?
15 **A. That's correct.**
16 Q. Okay. Did you have any communications with
17 her to keep her updated on the investigation?
18 **A. I don't recall that.**
19 Q. Okay. Okay.
20 Next I want to direct your attention
21 to document 2. And let's see, it will be, I think
22 Bates number 4277. It will actually be 4277 through
23 4279.
24 **A. Okay, I'm there.**
25 Q. Okay. And once you've had a chance to read

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1 over them, let me know.
2 **A. Okay.**
3 Q. Do you recognize these?
4 **A. I vaguely remember them.**
5 Q. Okay. What are they?
6 **A. It's a discussion through email with**
7 **Charlene Carter about obtaining an extension of time**
8 **limits.**
9 Q. Okay. And is she asking for an extension?
10 **A. It looks to be that when we called her for**
11 **the meeting, she was not available until a certain**
12 **time. So, yes, she let us know, and we -- looks like**
13 **I directed her to call the union at some point to**
14 **start the extension process.**
15 Q. Okay. I direct your attention on -- to
16 4277.
17 **A. Okay.**
18 Q. And the second email down.
19 **A. Okay.**
20 Q. That's your email to Charlene, correct?
21 **A. Yes.**
22 Q. And you say, you will need an extension of
23 time limits?
24 **A. Since she couldn't be there at a specific**
25 **time, if I remember correctly.**

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1 Q. Okay. And how many extensions did you, you
2 request here?
3 **A. It seems like two. I don't recall**
4 **specifically.**
5 Q. Okay. All right. And you -- I think,
6 let's see, if I can direct you to 4278 and 4279, the
7 last email there that carries over between the two
8 pages.
9 **A. Okay.**
10 Q. And have you had the chance to look that
11 one over?
12 **A. Let me just look at the bottom part.**
13 Q. Sure.
14 **A. Okay.**
15 Q. And I think you say -- the email states, if
16 you would like to have union representation in the
17 meeting, you may do so by calling TWU 556. Do you
18 know if Charlene had a -- ended up having a union
19 representative?
20 **A. In her meeting or do you mean in Dallas?**
21 Q. I guess did she have union representation
22 in this matter?
23 **A. Yes. It would be required if she wanted**
24 **the extension because she wasn't going to be in town.**
25 Q. Okay. So I think she -- in her email on

Page 92

1 4278, it -- she says, I have already been in contact
2 with Chris Sullivan and he will represent me in this
3 meeting. And I guess before continuing on -- well,
4 no, then your -- I guess your follow-up email --
5 let's go there. And you say, I understand Chris will
6 be representing you in the meeting, but that was
7 different. So are there two senses of union --
8 having a union representative here?
9 **A. There is a local representative that would**
10 **be in the meeting with her.**
11 Q. Okay.
12 **A. And there is a representative from TWU in**
13 **Dallas who oversees the investigation for the flight**
14 **attendant.**
15 Q. Okay. Do you know who the representative
16 was in Dallas?
17 **A. No, I don't recall who it was at that time.**
18 **I work with a lot.**
19 Q. Okay. Do you recall talking to
20 Ms. Carter's representative in Dallas?
21 **A. I don't recall specifically, no.**
22 Q. Okay. Is it possible you didn't speak to
23 the union representative in Dallas?
24 **A. I would need to speak with them to get the**
25 **extension. Or one of my assistant base managers may**

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1 **have spoken with them if I was out of the office.**

2 Q. Okay. Do -- would you have to communicate
3 with the union representative in Dallas about other
4 aspects of the investigation?

5 **A. Meeting times and dates and extensions, any**
6 **correspondence necessary with the flight attendant.**

7 Q. Okay. Do you communicate with the union
8 representative about any, I guess, substantive
9 matters, about the merits of the complaints and the
10 investigation?

11 **A. No.**

12 Q. Okay. Can you communicate directly with
13 the flight attendant about those matters?

14 **A. No.**

15 Q. Okay. So who do you communicate with about
16 the, I guess, the merits of the, of the complaint?

17 **A. That takes place in the fact-finding**
18 **meeting.**

19 Q. Okay. With the local representative?

20 **A. Correct.**

21 Q. Okay. And -- now, in this email, Charlene
22 says that she's been in contact with Chris Sullivan
23 and he will represent her in this meeting. Did you
24 have any communications with Chris Sullivan?

25 **A. I don't remember having communication with**

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1 Q. Do you know who conducted that
2 investigation?

3 **A. No, I don't remember.**

4 Q. Okay. Would it have been one of your
5 assistant base managers?

6 **A. Yes.**

7 Q. Okay. Do you know if that resulted in
8 termination?

9 **A. I believe so.**

10 Q. And if it involved termination, you would
11 have had to authorize that, correct?

12 **A. Not authorize it. I would be aware of it.**

13 Q. Oh, so one of the assistant base managers
14 could terminate Kendall Foss without your
15 authorization?

16 **A. Yes. They, they make the decision on how**
17 **they conduct the investigation.**

18 Q. Okay. And do you know what she was
19 terminated for?

20 **A. I don't recall.**

21 Q. Okay. All right. Let's see, if I could
22 direct your attention back to document 9. And if you
23 need to review that again -- you may have reviewed it
24 earlier, but we've jumped around a bit, so...

25 Just let me know when you're ready and

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1 **him prior to the meeting. There normally isn't.**

2 Q. Okay. All right. Also, on 4277, the
3 bottom email there, and the second line of the email
4 says, Hector just called me about this meeting, as
5 well, and I relayed that, as well, to him. Do you
6 recall if Hector Barrera contacted Charlene about
7 setting up the fact-finding meeting?

8 **A. I don't remember that specifically. But it**
9 **does happen sometimes, like I said, when I'm out of**
10 **the office.**

11 Q. Okay. Was, was Hector involved in this
12 investigation at, at this stage? Did he get involved
13 at this stage?

14 MR. CORRELL: Objection, asked and
15 answered.

16 **A. I may have only asked him to set up the**
17 **meeting for me.**

18 Q. Okay. Okay. Earlier we were talking about
19 some of the -- I guess the complaints and violations
20 of the social media policy, the hazing and bullying
21 policy and harassment policy in the Denver area. Do
22 you remember a violation of any of those policies
23 involving a flight attendant named Kendall Foss?

24 **A. I'm vaguely familiar. I didn't conduct**
25 **that investigation.**

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1 you've had a chance to look at it.

2 **A. Okay.**

3 Q. Okay. So on 4676, towards the bottom,
4 Charlene says, I'm Christian, I'm a conservative and
5 pro-life. Do you see where I'm --

6 **A. Yes.**

7 Q. Okay. And then she says, this happens to
8 be a huge issue for me and I get the message out
9 wherever I can. And then on the next page, she
10 continues, I think about three or four lines down on
11 the next page, she says, I had an abortion and I
12 regret every bit of it, so I work with other pro-life
13 groups. And for me, as a Christian, if I can get the
14 word out in any way to every group as possible to
15 touch the issue, I do. Do you recall her saying that
16 at the hearing?

17 **A. Yes.**

18 Q. And did you make any inquiries as to
19 whether Charlene needed a religious accommodation,
20 based on those comments?

21 **A. No.**

22 Q. Okay. And why not?

23 **A. That would be up to her to ask for that.**

24 **And that would be something that would go through the**
25 **ACT Team.**

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1 Q. Okay. And the ACT Team never contacted you
2 about that specific issue, correct?

3 A. No.

4 Q. Okay. And you didn't report it to the ACT
5 Team, correct?

6 A. **Report what exactly?**

7 Q. Those comments.

8 A. **No, I didn't see a reason to do that.**

9 Q. Okay. Let's see, then if I could direct
10 you to 4679, same document.

11 A. Okay.

12 Q. And there's a statement here attributed to
13 you, when you were posting on your Facebook page, are
14 you aware of other posts on there that would connect
15 you to Southwest Airlines? And I think what follows
16 is some discussion about some pictures that were
17 shown there. This says, shows pictures of Charlene
18 at work in her uniform. And then one is referenced
19 with a Southwest logo that says, give Herb his old
20 job back. Do you remember those pictures?

21 A. Yes.

22 Q. Do you know if those were the pictures that
23 Meggan Jones had found towards the, I guess,
24 beginning of the investigation?

25 A. **I believe so, yes.**

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1 Q. Okay. Do you know the, the date those
2 pictures were posted?

3 A. **Not specifically, no.**

4 Q. Okay. Do you have a general idea?

5 A. **No, not at this time, I don't remember.**

6 Q. Okay. Do you know how old those were?

7 A. No.

8 Q. Do you know how readily visible those
9 pictures were on her Facebook page?

10 A. **If Meggan found them, then they were on the
11 page for Charlene.**

12 Q. Okay. I want to direct your attention to
13 4680. And midway down, there's a statement there
14 attributed to you that says -- that starts with, your
15 Facebook post, there's a connection. Do you see
16 where I'm referring?

17 A. Okay.

18 Q. Okay. And it says, you can't have your
19 political views with Southwest as part of your
20 depiction there. Do you know if you have ever fired
21 another flight attendant for posting political views
22 on social media?

23 MR. CORRELL: Objection, asked and
24 answered. Counsel, we've already been through his
25 entire issue of discipline. He's already testified

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1 to what he knows on those topics.

2 MR. GILLIAM: Well, he didn't remember
3 very much, so --

4 MR. CORRELL: Correct.

5 MR. GILLIAM: -- this will refresh his
6 memory.

7 MR. CORRELL: You can ask him the
8 question over and over again, but the answer is still
9 going to be he doesn't remember. This isn't, this
10 isn't a refreshing document that shows him new
11 information. It's talking about Charlene Carter's
12 fact finding. So I'm trying to figure out how many
13 times you're going to ask this question.

14 MR. GILLIAM: Well, it's -- I think
15 it's slightly different, as well.

16 Q. But, Mr. Schneider, you can answer.

17 A. **I don't recall.**

18 Q. Then if I could direct your attention to
19 4690, then the second block down.

20 A. Okay.

21 Q. And you say, you go into different things,
22 Brian Talbert, which should have been something that
23 was confidential as far as that investigation goes.

24 I think earlier -- and correct me if
25 I'm wrong. But you may have said, in referring to

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1 Audrey's email, where she brings up her concern about
2 Brian Talbert, that it wasn't a concern -- or not
3 related to the investigation. Did your view change
4 here in the fact finding?

5 A. No.

6 Q. Okay. But is it fair to say that you --
7 your opinion was that it was something that should
8 have been confidential?

9 A. **To Brian Talbert and his union rep, not to
10 flight attendants. Should not have been available to
11 flight attendants, it should have been kept
12 confidential is my point.**

13 Q. Okay. Was that part of your consideration
14 for discipline here?

15 A. No.

16 Q. And so after you concluded this meeting,
17 what were your next steps?

18 A. **To wait for employee relations and/or the
19 HRBP to determine if they feel like there was a
20 violation and then move from there --**

21 Q. Okay.

22 A. **-- towards decision making.**

23 Q. All right. And immediately after the
24 meeting, did you have any -- had you reached any
25 conclusions as to what -- how you were going to

Page 101

1 decide this matter?

2 **A. Not at -- directly after. I had some more**
3 **investigation to do, and she presented some**
4 **information that I had to look into.**

5 Q. When you said "she" presented some
6 additional information, who was that?

7 **A. Charlene Carter.**

8 Q. Okay. What did she present that you had to
9 look into?

10 **A. The information that we talked about in**
11 **these notes.**

12 Q. What information is that?

13 **A. Anything that she brought forward. I**
14 **needed to make sure that I did a thorough**
15 **investigation of anything that she presented as part**
16 **of my investigation.**

17 Q. Okay.

18 **A. I don't know specifically. I can't**
19 **remember details of every part of it.**

20 Q. Do you know if she brought you any
21 additional information?

22 **A. She -- just the information that she shared**
23 **about what she had been through, her thoughts and**
24 **processes and presenting that information to me.**

25 Q. Okay. Do you know if your attorneys

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1 finding?

2 **A. I don't recall that. I don't remember for**
3 **sure.**

4 Q. Okay. After this fact finding was
5 concluded, did you talk to Meggan Jones about the
6 fact finding?

7 **A. Yes.**

8 Q. Okay. And what did you discuss with Meggan
9 Jones?

10 **A. Any discussions in the fact finding, she**
11 **was working on the notes and we discussed the notes.**

12 Q. What else did you discuss with Meggan
13 Jones?

14 **A. I don't recall.**

15 Q. Okay. Did you have any communications with
16 Dave Kissman after the fact finding?

17 **A. At some point, yes. I don't know for sure**
18 **how soon it was.**

19 Q. Okay. What, what communications did you
20 have with Dave Kissman after the fact finding?

21 **A. I don't recall specifically what it was.**

22 Q. Do you recall general themes of your
23 conversation?

24 **A. Just letting him know that -- my plans to**
25 **research as much as I could, continue the**

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1 presented that information or if they --

2 MR. CORRELL: Hold on, hold on.

3 Mr. Schneider, I don't want you to
4 testify about any communications you've had with us
5 in response to any question by counsel.

6 THE WITNESS: Say that one more time,
7 I'm sorry, Mike.

8 MR. CORRELL: In responding to
9 Mr. Gilliam's questions, please do not convey any
10 communications you've had with me, the lawyer who was
11 involved at the arbitration or any in-house counsel
12 for Southwest Airlines.

13 Q. And, and my question is, again, without,
14 you know, revealing any of your privileged
15 communications, did you produce any of the -- all of
16 the information you had received from Charlene Carter
17 after the fact-finding meeting?

18 **A. I was simply talking about the notes and**
19 **any information in those notes.**

20 Q. Okay. Are you -- when you say "the notes,"
21 you mean the fact-finding meeting notes?

22 **A. Yes.**

23 Q. Okay. And I'm sorry, I'm confused. Did
24 you -- did she send you more information after the
25 fact finding that was not reviewed in the fact

Page 104

1 **investigation and the possibility of discipline.**

2 Q. Did he -- did Dave Kissman have any
3 recommendations for you in your communications after
4 the fact-finding meeting?

5 **A. I don't remember.**

6 Q. Do you remember how many communications you
7 had with Dave Kissman after the fact finding?

8 **A. Can you say the question one more time.**

9 Q. Yeah. Do you remember how many
10 communications you had with Dave Kissman after the
11 fact finding?

12 **A. No, I don't.**

13 Q. Okay. Did you have any communications with
14 Naomi Hudson after the fact finding?

15 **A. No.**

16 Q. Did you have any communications with Mike
17 Sims after the fact finding?

18 **A. I don't remember.**

19 Q. Okay. Did you have any communications with
20 Sonya Lacore after the fact finding?

21 **A. No.**

22 Q. Okay. Now, after the fact finding, you
23 said you waited for employee relations to first
24 contact you about their assessment as to whether
25 there was a violation of the sexual harassment

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1 policy?

2 **A. Correct.**

3 Q. Okay. And you also waited for the human
4 resources business partner to reach out to you as to
5 whether there was a violation of the bullying and
6 hazing policy?

7 **A. Yes.**

8 Q. Okay. And did the human resources business
9 partner follow up with you?

10 **A. Yes.**

11 Q. Okay. And the human resources business
12 partner is Edie Barnett, correct?

13 **A. Correct.**

14 Q. Okay. And did Edie Barnett call you?

15 **A. I don't remember specifically if she called
16 me.**

17 Q. Okay. Is it possible she talked to you in
18 person?

19 **A. No.**

20 Q. Okay. So she called you or emailed you?

21 **A. Correct.**

22 Q. Okay. And what did Edie Barnett tell you
23 when she contacted you?

24 **A. It was determined that there was a
25 violation of the Southwest bullying/hazing policy.**

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1 Q. And do you know specifically which
2 individuals were involved in making that
3 determination on behalf of human resources?

4 **A. The name of the person? Is that what
5 you're asking me?**

6 Q. Yes. I'm asking you if -- which, which
7 individuals with human resources made the, the
8 determination that there was a violation of the
9 policy?

10 **A. Edie Barnett.**

11 Q. Okay. Do you know if Edie Barnett reached
12 that decision on her own?

13 **A. No, I do not know that.**

14 Q. Okay. And so what, what specifically did
15 Edie Barnett communicate to you about the violation
16 of the bullying and hazing policy?

17 **A. Anything other than there was a violation,
18 I don't specifically remember.**

19 Q. Okay. And what was your reaction to that
20 information?

21 **A. That that was part of my investigation, my
22 determining if there was a violation.**

23 Q. Okay. And did you just accept that
24 conclusion and decide to adopt that conclusion?

25 **A. I used it as a resource for me making the**

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1 **decision.**

2 Q. Okay. And apart from that resource, what
3 other factors did you consider in reaching your
4 conclusion?

5 **A. The social media policy, the
6 hazing/bullying policy.**

7 Q. Well, let me ask the question this way -- I
8 mean, just speaking specifically about the bullying
9 and hazing policy, did you adopt her determination as
10 to that specific policy as your own?

11 **A. I used her decision to help me in
12 determining my decision that that violation was part
13 of the discipline.**

14 Q. Okay. Did you have reasons independent
15 from Ms. Barnett's recommendation that Ms. Carter's
16 conduct violated the bullying and hazing policy?

17 **A. The information that was presented in both
18 meetings from Audrey Stone and Charlene Carter.**

19 Q. Okay. Now, how did you reach a conclusion
20 that there was a violation of the social media
21 policy?

22 **A. Through discussions, the same thing, the
23 Nexus to the Workplace and the information that was
24 posted on Facebook, and my discussions with labor
25 relations, as well as the information that was given**

Page 108

1 **to me in the meetings.**

2 Q. Okay. Did you have discussions with labor
3 relations about whether there was a violation of the
4 social media policy after the fact-finding meeting?

5 **A. Yes.**

6 Q. Okay. And what were those discussions?

7 **A. Simply that it did provide the Nexus to the
8 Workplace, as well as the egregious posts that were
9 on her Facebook page that other people could see.**

10 Q. Okay. And the person in labor relations
11 that you had that discussion with was Maureen Emlet;
12 is that correct?

13 **A. Correct.**

14 Q. Okay. Did you have that discussion with
15 anyone else in labor relations?

16 **A. Not that I recall.**

17 Q. Okay. And what opinion did Maureen Emlet
18 have that she communicated to you as to a violation
19 of -- as to whether there was a violation of the
20 social media policy?

21 **A. That we had pretty solid information on a
22 violation.**

23 Q. Okay. And what did she believe the solid
24 information was?

25 MR. CORRELL: Objection, calls for

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1 speculation.

2 Q. Did she tell you what the solid information
3 was?

4 A. **Not that I recall outside of the fact that**
5 **she made Facebook posts and there was a Nexus to the**
6 **Workplace.**

7 Q. During those discussions, did Maureen Emlet
8 discuss with you any, any cases of other flight
9 attendants who had violated the social media policy?

10 A. **I don't recall that information.**

11 Q. Did Maureen Emlet give you any opinions as
12 to whether any other policy had been violated?

13 A. **I don't recall that.**

14 Q. Okay. Now, at any point after the fact
15 finding, did you have any communications with Audrey
16 Stone?

17 A. **I don't remember discussing anything after**
18 **with Audrey Stone.**

19 Q. Okay. You don't remember discussing
20 anything after the fact finding with Audrey Stone; is
21 that correct?

22 A. **Was that your question?**

23 Q. Yes.

24 A. **Yes.**

25 Q. Okay. Now, do you recall how soon after

Page 111

1 Q. Okay. And what was Denise Gutierrez's
2 decision?

3 A. **I don't remember specifically, but I know**
4 **that it supported sexual harassment, possibly, in**
5 **this case. I'm not sure without seeing the document**
6 **or the email.**

7 Q. Okay. At any point after the
8 investigation -- excuse me, at any point after the
9 fact-finding meeting, did you deliver a -- well, let
10 me ask it this way: After the fact finding, did you
11 report back to the other persons involved in the
12 investigation about the investigation?

13 A. **Can you be more specific.**

14 MR. CORRELL: Objection.

15 Q. Well, yeah, after, after the fact-finding
16 meeting, did you report about the investigation to
17 the other persons involved?

18 MR. CORRELL: Objection, vague.

19 A. **I don't know what you mean.**

20 Q. Did you, did you report your -- so after
21 the fact-finding meeting, did you report your
22 decision to employee relations, labor relations,
23 human resources?

24 A. **At some point I reported it to labor**
25 **relations.**

Page 110

1 the fact finding you had those communications with
2 Maureen Emlet?

3 A. **Possibly the next day.**

4 Q. Okay. Do you recall how soon after the
5 fact finding you had the communications you described
6 with Edie Barnett?

7 A. **No, I don't remember.**

8 Q. Now, at some point after the fact-finding
9 meeting, did you hear from employee relations?

10 A. **Yes.**

11 Q. Okay. And when did you hear from employee
12 relations?

13 A. **I don't remember the exact date or time of**
14 **that.**

15 Q. Do you remember roughly how long after the
16 fact-finding meeting it might have been?

17 A. **It was within the next day or -- you know,**
18 **I'm pretty sure it was the next day.**

19 Q. Okay. And was it Denise Gutierrez who
20 communicated with you?

21 A. **Yes.**

22 Q. Okay. And do you know if she emailed you
23 or called you?

24 A. **Possibly both. I know there was an email**
25 **indicating her decision on it.**

Page 112

1 Q. Okay. What do you remember about the
2 report you made?

3 A. **That I was going forward with discipline.**

4 Q. Okay. If I could direct your attention to
5 document 6, which is also Exhibit 7.

6 A. **Okay.**

7 Q. Do you recognize this?

8 A. **An email to Maureen Emlet, Denise Gutierrez**
9 **and Edie Barnett.**

10 Q. And do you know what it is?

11 A. **I need to read it.**

12 Q. Sure. Yeah, please, do.

13 A. **It is my synopsis, basically, of the**
14 **meeting with Charlene Carter and the investigation.**

15 Q. Okay. And in this email do you determine
16 whether there's been a violation of the -- of any
17 Southwest policies?

18 A. **There's the possibility in this email of**
19 **violations of a social media, bullying and hazing.**
20 **But it's still an ongoing investigation.**

21 Q. Okay. So were -- so these were not
22 conclusions that Ms. Carter had actually violated
23 these policies?

24 A. **I'm not sure at this point if I had**
25 **completely made my decision on this. I'm -- I don't**

Page 113

1 **know the dates, so I can't say specifically of when**
2 **that determination was made.**

3 Q. Okay. And the date of this email is March
4 10th, correct?

5 **A. Correct.**

6 Q. But based off of the language that you have
7 there, I guess on document 4712, after social media
8 policy, bullying and hazing policy and harassment
9 policy, you don't know if you're making conclusions
10 as to whether those are violated?

11 **A. I feel at that point that those were**
12 **violations of those policies, as highlighted there.**
13 **So it was part of my determination of that, yes.**

14 Q. Okay. Was this your report where you
15 decided on the, the discipline that should be issued
16 to Ms. Carter?

17 **A. It's part of my investigation that I would**
18 **use when I made that determination.**

19 Q. Okay. But it's, it's not your final
20 determination as to the discipline that should be
21 issued?

22 **A. I'm not sure on the dates of how everything**
23 **transpired is what I'm saying. So I'm not sure when**
24 **this was sent, in what part of the investigation.**

25 Q. Okay. Well, and I guess one of my

Page 115

1 opportunity to read it.

2 **A. Are those pages close to the bottom of that**
3 **document?**

4 Q. Yeah, it's close to the end. Very close to
5 the end.

6 **A. You said 5762 and 5763?**

7 Q. Yes, sir, yeah.

8 **A. Okay, I'm there.**

9 Q. Okay. And if I could, I guess, direct your
10 attention to the last email in that chain, at the
11 bottom, anyway. If you want to just read that and
12 review it and let me know once you've had the chance
13 to do that.

14 **A. Okay.**

15 Q. All right. And do you recognize that?

16 **A. Yes.**

17 Q. And what is it?

18 **A. It's the decision from Denise Gutierrez on**
19 **employee relations on her portion of the**
20 **investigation.**

21 Q. Okay. And what does she decide?

22 **A. That the information partially supports the**
23 **allegations against Charlene.**

24 Q. Okay. And which, which portion is
25 supported?

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1 questions would be, is there anything here that, that
2 tells you that you've decided on the discipline that
3 should be issued?

4 **A. I am in the decision-making process at this**
5 **point.**

6 Q. Okay. All right. And another question
7 here, do you know if this email has been redacted in
8 any way?

9 **A. Redacted how?**

10 Q. And don't tell me if something has -- if
11 something -- what the contents that may have been
12 removed. But I was just wondering if, for a
13 privilege reason, if maybe some contents are not
14 included in this email.

15 **A. I am not aware of that.**

16 Q. Okay. All right. I ask because there's a
17 big space here on 4712.

18 MR. CORRELL: And I'll represent,
19 Counsel, that all of our redactions are in
20 identifiable black boxes.

21 MR. GILLIAM: Okay. Thank you. That
22 helps.

23 Q. All right. If I could go to -- back to
24 document 2, and Bates numbers 5762 and 5763. Just
25 let me know once you've found it and have had the

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1 **A. The images of women dressed as vaginas.**

2 Q. Okay. And -- okay. Then -- and she says,
3 the -- while the videos depicting abortion are
4 considered to be offensive, they do not violate the
5 company's harassment, sexual harassment,
6 discrimination, retaliation policy, but they should
7 be addressed.

8 So I guess one, one question is,
9 did -- I guess, how, how did this report, I guess,
10 figure in to your decision as to what to do with
11 discipline?

12 **A. It helps me to know if employee relations**
13 **views it as a violation and helps me with my decision**
14 **making.**

15 Q. Okay. And this -- you received this email
16 on March 10th, 2017. Did you make your decision
17 after receiving this email?

18 **A. I wouldn't have made it before, so it must**
19 **have been.**

20 Q. Okay. And another question too, I guess,
21 to ask, did you make your decision as to whether
22 there had been a violation of all of the policies --
23 well, let me ask it another way.

24 Did you make any determinations as to
25 whether there had been a violation of the other two

Page 117

1 policies, apart from the sexual harassment policies,
2 before receiving this email?

3 **A. I don't recall the order of making those**
4 **decisions.**

5 Q. Okay. Now, on this email, looks like
6 Denise sends it to you and Suzanne. And do you have
7 any knowledge why Denise sent it to Suzanne?

8 **A. Because Audrey Stone is based in Las Vegas**
9 **and Suzanne is her leader.**

10 Q. Okay. And Toni Hamilton is cc'd. Did --
11 do you know -- do you have any knowledge as to why
12 Toni Hamilton is cc'd?

13 **A. I'm -- I think that Toni Hamilton was**
14 **Denise Gutierrez's leader.**

15 Q. Okay.

16 **A. And she's just letting her know her**
17 **position.**

18 Q. Okay. Now, how soon after receiving this
19 email did you make your final decision as to
20 termination?

21 **A. I don't know specific time frames on it.**

22 Q. Okay. If I could refer you back to -- it's
23 in here. Document 7.

24 **A. Okay.**

25 Q. And this is Charlene Carter's termination

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1 **A. They like to see them before I issue the**
2 **discipline.**

3 Q. Okay. And I want to make sure I understand
4 here. You said you ran it by labor to make sure that
5 the letter was meeting the requirements of your
6 decision?

7 **A. Just having another person proofread it for**
8 **me is basically what it is.**

9 Q. Okay. And --

10 MR. CORRELL: And before we go any
11 further, Mr. Schneider, if you consulted with legal
12 counsel in connection with drafting or revising this
13 letter, please do not testify to any communications
14 with counsel. But you may otherwise answer. I'm
15 just not sure if you did or not.

16 THE WITNESS: Okay.

17 Q. So apart -- and I don't want to hear about
18 legal counsel. But apart from, you know, labor
19 relations, did you have communications with anyone
20 else to assist you in drafting that letter?

21 **A. No.**

22 Q. Okay. And what, what feedback did you get
23 from labor relations about that letter?

24 **A. I don't remember specifically what details**
25 **were said to me about the letter.**

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1 letter, correct?

2 **A. Correct.**

3 Q. So -- and that's dated March 14th. So fair
4 to say you made your decision sometime between March
5 10th and March 14th?

6 **A. Yes.**

7 Q. Okay. And March 10th was a Friday and
8 March 14th was a Tuesday. Does that help, help you
9 narrow in on the day at all?

10 **A. The day of?**

11 Q. The day you made a decision as to whether
12 to fire Charlene.

13 **A. No, it doesn't. Because with this, with**
14 **the time frames we're under, I was working on it**
15 **during that time.**

16 Q. Okay. Now, document 7, the termination
17 letter, did you write that termination letter?

18 **A. Yes.**

19 Q. Okay. Did you have any assistance in, in
20 drafting it?

21 **A. Only such as running it past labor to make**
22 **sure that it was meeting the requirements of my**
23 **decision.**

24 Q. Okay. And what do you mean the
25 requirements of your decision?

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1 Q. Okay.

2 MR. GILLIAM: Let's see, I'm looking
3 to see what exhibit number we're on. 20 was the last
4 document. We're on Exhibit 15 now?

5 MR. CORRELL: That's what I have, yes.

6 THE WITNESS: Go to 15, is that what
7 you're saying?

8 Q. No, no, so I'd like to mark -- I'd like you
9 to go to document 18. And I would like to have
10 document 18 marked as Exhibit 15.

11 (Exhibit 15 marked)

12 Q. And once you've found it and had the chance
13 to review it, let me know.

14 **A. Do I have a document 18? I don't find**
15 **that.**

16 MR. CORRELL: It should be in the
17 email. Remember, we had trouble --

18 THE WITNESS: Oh, I'm sorry. It was
19 in a separate email. Okay.

20 **A. All right. So -- okay, I'm there.**

21 Q. Okay. And review -- take a moment to
22 review it. And once you've had an opportunity, let
23 me know.

24 **A. Okay.**

25 Q. Do you recognize this?

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1 A. Okay.

2 Q. Can you tell what it is?

3 A. It looks like a termination letter.

4 Q. Okay. Can you say that you did not draft
5 this termination letter?

6 A. No, I don't remember specifically. As I --
7 you know, I don't remember.

8 Q. And do you remember if this was something
9 that you produced in response to Ms. Carter's
10 discovery requests?

11 A. I don't remember that, no.

12 Q. Okay. Well -- and I know you don't
13 recognize this letter, but if I could still direct
14 you to the paragraph number, number 3.

15 A. Okay.

16 Q. Where it says, flight attendant work rules
17 and expectations/company policies, and 3.0, basic
18 work rules and expectations. Did you make any
19 determination as to whether the basic work rules and
20 expectations were violated?

21 A. I remember considering that in the behavior
22 of flight attendants, but that is all.

23 Q. Okay. You did not determine that Charlene
24 Carter violated the basic work rules and
25 expectations?

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1 A. She could have violated that. I didn't
2 consider -- I mean, I didn't include it in my term
3 letter.

4 Q. Okay.

5 A. Other than just referring to it, possibly.

6 Q. And going back to document 7 again, looking
7 back there.

8 A. Okay.

9 Q. And the beginning of the last paragraph, it
10 says, your conduct could also be a violation of
11 Southwest's policy concerning harassment, sexual
12 harassment, discrimination and retaliation. So did
13 you, did you not make a determination that her
14 conduct did violate that policy?

15 A. I determined that the workplace bullying
16 and hazing policy and the social media policy were
17 the violations that she was terminated for. Also she
18 could have violated other policies. And that's what
19 that's referring to.

20 Q. Okay. Now, copied at the bottom are Sonya
21 Lacore, Mike Sims and Dave Kissman. Did you not send
22 them a draft prior to sending this letter to
23 Ms. Carter?

24 A. No.

25 Q. You did not send them a draft prior?

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1 A. That's all done at the same time, when I
2 finish up the investigation.

3 Q. Okay. So they did not see this letter
4 until you sent it to Ms. Carter?

5 A. Correct.

6 Q. Okay. Do you know if you consulted with
7 either Mike Sims or Dave Kissman in reaching your
8 final determination to fire Ms. Carter?

9 A. Once I made my decision, I made them aware
10 of my decision.

11 Q. Okay. Did you make them aware of your
12 decision before sending this letter?

13 A. Dave Kissman, yes.

14 Q. Okay. Did you not inform Mike Sims of your
15 decision until after the letter?

16 A. I'm not sure when he was made aware of it.

17 Q. Okay. Do you know that you did not make
18 him aware of it prior to sending this letter?

19 A. I don't remember making him aware of it.

20 Q. Okay. Do you remember if you communicated
21 your decision to Dave Kissman over the weekend?

22 A. No, I cannot remember when it was.

23 Q. Okay. What did you tell Dave Kissman when
24 you had finally made your decision?

25 A. Just on the decision I had made and what

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1 violations they were.

2 Q. Okay. And what was Dave Kissman's
3 response?

4 A. He agreed with it and said that, that it
5 was fine. So thanks for letting him know, basically
6 all it was.

7 Q. Okay.

8 MR. GILLIAM: I think we may want to
9 take a short break here.

10 MR. CORRELL: Sure. Is ten minutes
11 good?

12 MR. GILLIAM: Yeah, ten minutes is
13 good.

14 MR. CORRELL: All right. We'll be
15 back at 2:43.

16 THE VIDEOGRAPHER: We are off record
17 at 2:33 p.m.

18 (Recess from 2:33 to 2:45)

19 THE VIDEOGRAPHER: We are back on
20 record at 2:45 p.m.

21 Q. All right. Mr. Schneider, I don't have too
22 many more questions here.

23 But following the fact-finding meeting
24 with Charlene Carter, did Meggan Jones ever recommend
25 to you at some point that you should fire Charlene

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1 Carter?
2 **A. No.**
3 Q. Okay. Did you ever consult with her about
4 her recommendations?
5 **A. No.**
6 Q. Okay. So -- okay. And prior to sending
7 the termination letter, did you talk to Charlene
8 Carter and her union rep about your decision?
9 **A. Prior to sending the letter, you said?**
10 Q. Yes, sir.
11 **A. On the same day, I rendered and then I sent**
12 **the letter.**
13 Q. Okay. And -- okay. And what, what did you
14 convey to Ms. Charlene Carter and the union rep?
15 **A. That my decision was that she violated the**
16 **social media policy and the bullying and hazing**
17 **policy, and that my decision was termination.**
18 Q. Okay. And were you involved in step two
19 proceedings at all?
20 **A. No.**
21 Q. Okay. Did Mike Sims ever ask your opinions
22 of any issues regarding step two proceedings?
23 **A. Not that I recall.**
24 Q. Okay. And after sending your termination
25 letter, did you have any communications with anyone

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1 regarding your decision?
2 **A. No.**
3 Q. And, you know, I don't mean attorney/client
4 privileged communications. Communications apart from
5 those with your attorney.
6 **A. Okay.**
7 Q. Now, at any point during the investigation,
8 did you ever ask Ms. Carter if she would take her
9 Facebook posts down?
10 **A. I do not recall that discussion.**
11 Q. Okay. At any point during the
12 investigation, did you ask Ms. Carter if she would
13 remove any connections to Southwest?
14 **A. I don't remember that discussion either.**
15 Q. Okay. At any point did you discuss with
16 Ms. Carter whether she would be willing to maybe post
17 a disclaimer on her Facebook page that her posts
18 don't necessarily represent the views of Southwest?
19 **A. After the termination?**
20 Q. At any point during the investigation.
21 **A. I don't remember that discussion.**
22 Q. Okay. Now, I guess for -- as part of this
23 discovery process, did you search your files for
24 information responsive to Ms. Carter's discovery
25 request?

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1 **A. Yes.**
2 Q. Okay. And did you find responsive
3 information?
4 MR. CORRELL: Objection, calls for a
5 legal conclusion.
6 Q. Yeah, let me ask it in another way.
7 Did you -- for any request, did you
8 decide that you don't have any information that you
9 felt was responsive?
10 **A. I shared all of my information with labor.**
11 **And the information that I had, they have.**
12 Q. Okay. And how did you go about searching
13 for information that you felt would be responsive to
14 Ms. Carter's request?
15 MR. CORRELL: Again, Mr. Schneider,
16 please do not relate communications or instructions
17 that you received from counsel.
18 **A. I simply looked on anything I had on my**
19 **hard drive or in paper form, any files that we had.**
20 Q. Okay. Does Southwest issue you a cell
21 phone?
22 **A. No.**
23 Q. Okay. Does Southwest issue you any
24 electronic devices?
25 **A. An iPad.**

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1 Q. Okay. Did you search your iPad for any
2 responsive information?
3 **A. I only use my iPad for communication for**
4 **virtual. And I don't have anything saved on my iPad.**
5 **So I wouldn't have anything on there. I searched it,**
6 **but there's nothing on there. So it's useless.**
7 Q. Okay. Would you have anything about this
8 case on any of your personal electronic devices?
9 **A. No. Only company.**
10 Q. Okay. All right.
11 MR. GILLIAM: I think that's about it.
12 Again, you know, we are going to reserve the right to
13 reopen the deposition if we --
14 MR. CORRELL: Counsel, what
15 information are you contending you have not been
16 provided that is --
17 MR. GILLIAM: Well, look --
18 (Audio distortion)
19 MR. CORRELL: I just want it on the
20 record so that when you go to make your motion, I can
21 tell the court we already gave it to you. Because
22 we've already produced everything Mr. Schneider has.
23 MR. GILLIAM: Okay. I understand.
24 But we received 3500 documents between Friday and
25 Saturday. And we are trying to conduct depositions,

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1 given the time limits. And if we determine that
2 there's a need for follow-up discovery, then, you
3 know, we want to reserve the right to reopen the
4 deposition.

5 MR. CORRELL: I'll state for the
6 record that this is the first time you have raised
7 the timing of production. You've used documents from
8 the highest numbers of our production, which
9 indicates a full review. And you have not identified
10 any part of the production you've not had an
11 opportunity to review and examine the witness on.
12 Further, we are within 30 days of the close of
13 discovery, so additional discovery request would be
14 improper at this time unless the court were to issue
15 an extension of the discovery deadline. As a result,
16 we oppose any request to reopen this deposition on
17 any grounds.

18 MR. GILLIAM: Understood.

19 MR. CORRELL: Mr. Schneider, are
20 you --

21 Or are you passing the witness?

22 MR. GILLIAM: Yes. Pass the witness.

23 EXAMINATION
24 (2:53)

25 Q. (BY MR. CORRELL) Mr. Schneider, I just have

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1 A. I am pro-life.

2 Q. Do you harbor any animus or bias against
3 individuals who are pro-life?

4 A. No.

5 Q. Did you decide less favorably with respect
6 to Ms. Carter than had she been pro-choice?

7 A. No.

8 Q. Did the fact that Ms. Carter attributed her
9 pro-life views to her religious beliefs have any
10 impact on your decision-making process?

11 A. No.

12 Q. Do you harbor any animus or have any bias
13 against individuals who express Christian beliefs?

14 A. No.

15 MR. CORRELL: I pass the witness.

16 THE VIDEOGRAPHER: Is there anyone
17 else?

18 MR. GREENFIELD: Local 556 will
19 reserve their questions for the time of trial.

20 MR. GILLIAM: Plaintiff has nothing
21 else.

22 THE VIDEOGRAPHER: Okay. We are off
23 record at 2:55 p.m.

24 End of deposition. End of media.
25 (Proceedings concluded at 2:55 p.m.)

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1 a couple of quick questions for you before we're done
2 today.

3 First of all, do you understand that
4 one of the claims asserted in this lawsuit is that
5 Ms. Carter contends that she was treated less
6 favorably because she was a nonmember or objector to
7 the union?

8 A. Yes.

9 Q. Do you personally harbor any bias or animus
10 against individuals who opt out of the union?

11 A. No.

12 Q. Did the fact that Ms. Carter was a -- well,
13 did you know Ms. Carter was a nonmember of the union
14 at the time of the investigation?

15 A. Not until she disclosed that in the
16 meeting.

17 Q. Once she disclosed that to you, did it have
18 any impact on your decision-making process?

19 A. No.

20 Q. You also understand that Ms. Carter is
21 alleging religious discrimination in this case with
22 respect to her pro-life views, correct?

23 A. Yes.

24 Q. Do you personally have a position between
25 pro-life and pro-choice on the issue of abortion?

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1 WITNESS NAME: Ed Schneider

2 DATE OF DEPOSITION: November 3, 2020

3 CHANGES AND SIGNATURE

4 PAGE LINE CHANGE REASON

5 _____
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22 _____
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25 _____

1 I, ED SCHNEIDER, have read the foregoing
2 deposition and hereby affix my signature that same is
3 true and correct, except as noted above.

4
5
6 _____
7 ED SCHNEIDER

8 THE STATE OF _____
9 COUNTY OF _____

10
11 Before me, _____, on this day
12 personally appeared ED SCHNEIDER, known to me or
13 proved to me on the oath of or through
14 _____ (description of identity card
15 or other document) to be the person whose name is
16 subscribed to the foregoing instrument and
17 acknowledged to me that he/she executed the same for
18 the purpose and consideration therein expressed.

19 Given under my hand and seal of office on this
20 _____ day of _____, _____.

21
22 _____
23 NOTARY PUBLIC IN AND FOR
24 THE STATE OF _____

25 My Commission Expires: _____

1 _____ was not requested by the deponent or a
2 party before the completion of the deposition.

3 That pursuant to information given to the
4 deposition officer at the time said testimony was
5 taken, the following includes all parties of record
6 and the amount of time used by each party at the time
7 of the deposition:

8 Mr. Matthew B. Gilliam (3 hours, 41 minutes)

9 Mr. Michael A. Correll (02 minutes)

10 Mr. Ed Cloutman (00 minutes)

11 That \$_____ is the deposition officer's
12 charges to the Plaintiff for preparing the original
13 deposition and any copies of exhibits.

14 I further certify that I am neither counsel for,
15 related to, nor employed by any of the parties in the
16 action in which this proceeding was taken, and
17 further that I am not financially or otherwise
18 interested in the outcome of this action.

19 Certified to by me on this 12th day of
20 November, 2020.

21 _____
22 Cheryl Duncan, CSR
23 Texas CSR 3371
24 Expiration: 04/30/21
25 Firm Registration Number 38
Bradford Court Reporting, L.L.C.
7015 Mumford Street
Dallas, Texas 75252
Telephone 972.931.2799
Facsimile 972.931.1199

1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF TEXAS
3 DALLAS DIVISION

4 CHARLENE CARTER,)
5 Plaintiff,)

6 vs.) Case No.
7) 3:17-cv-02278-X

8 SOUTHWEST AIRLINES CO., AND)
9 TRANSPORT WORKERS UNION OF)
10 AMERICA, LOCAL 556,)
11 Defendants.)

12 REPORTER'S CERTIFICATE
13 ORAL VIDEOTAPED DEPOSITION OF ED SCHNEIDER
14 November 3, 2020
15 (Reported Remotely)

16 I, Cheryl Duncan, CSR, in and for the State of
17 Texas, hereby certify to the following:

18 That the witness, ED SCHNEIDER, was duly sworn
19 and that the transcript of the deposition is a true
20 record of the testimony given by the witness;

21 I further certify that pursuant to FRCP Rule
22 30(f)(1) that the signature of the deponent:

23 _____X_____ was requested by the deponent or a party
24 before the completion of the deposition and is to be
25 returned within 30 days from date of receipt of the
transcript. If returned, the attached Changes and
Signature Pages contain any changes and the reasons
therefor;

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